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# ARCHIVES OF MARYLAND

## ACTS

OF THE

## GENERAL ASSEMBLY OF MARYLAND HITHERTO UNPRINTED

1694-1729

PUBLISHED BY AUTHORITY OF THE STATE UNDER THE DIRECTION OF THE  
MARYLAND HISTORICAL SOCIETY

BERNARD CHRISTIAN STEINER

*Editor*



BALTIMORE  
MARYLAND HISTORICAL SOCIETY  
1918

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The Lord Baltimore Press  
BALTIMORE, MD., U. S. A.

ROOMS OF THE MARYLAND HISTORICAL SOCIETY,

BALTIMORE, *November 1, 1918.*

*To the Maryland Historical Society:*

GENTLEMEN :

We have the honor to submit the Thirty-eighth Volume of the Archives of Maryland, consisting of Acts of the General Assembly of the Province from 1694 to 1698 and from 1711 to 1729, hitherto unprinted.

We have still on hand a large amount of material which should be printed in the Archives. When the series was begun in 1883, five subdivisions were contemplated. Two of them, namely, the Correspondence of Governor Sharpe, and the Proceedings of the Provincial Council, have been completed. Two more, the Proceedings of the State Council, and the Proceedings of the Provincial Court, were suspended when the printing reached the years 1780 and 1657 respectively, in order that the fifth, namely, the Proceedings and Acts of the General Assembly of the Province of Maryland, might be completed. The publication of the Proceedings, with this volume, has been completed to the year 1732. The unprinted Acts, included in this volume, are of two periods. Those of the period 1711-1729 were found in the office of the Clerk of the Court of Appeals, at Annapolis, as is told in the preface of Vol. 37. Those of the period 1694-1698 were copied from the duplicates sent to the Public Record Office, in London, while Maryland was a Royal Province.

For the forty-four years between 1732 and 1776, at least fifteen volumes will be necessary to complete the series. During this period, it must be remembered, the Private Acts and the Proceedings of the Upper House of Assembly have never been printed in any form. The Public Acts, and the Proceedings of the Lower House were printed contemporaneously with the session, but the pamphlets containing these Proceedings and Acts are extremely rare. Some time ago, the Committee addressed a circular letter to seventeen of the most important reference libraries of the United States and England, and found that none of them had anything like a complete collection, either of the Laws or of the Proceedings of the Lower House. We were urged by such libraries as those of New York State, Harvard University, The State Historical Society of Wisconsin, the New York Public Library, and the Historical Society of

Pennsylvania, to complete the publication for the whole of the Provincial period. The librarian of the John Carter Brown Library of Providence wrote: "I have sincere hope that it may be possible for you to continue the series of the Maryland Archives, for the whole of the Colonial period, which have already added so materially to our appreciation of the part that Maryland played in the events of our Colonial epoch." The Librarian of Congress wrote: "As to the desirability of continuing" the publication of the Proceedings and Acts to 1776, "our inability, by repeated effort, during the last six years, to obtain, by purchase or by gift, the volumes that we lack, indicates the great advantage, in our opinion, and considering the interest to this library, of the continuing of your series."

In a recent letter, Professor Charles M. Andrews, of Yale University, writes: "Maryland stands with her sister states as one that has done a great work in issuing the materials for her history in a form not only dignified in itself, but also of great and permanent merit as an aid to the student of our Colonial history. To give up the series would be from the standpoint of such student little short of a calamity. . . . The Maryland Archives should be continued unbroken down to the close of the Provincial period. Their value and usefulness need no defense."

Dr. J. Franklin Jameson, director of the Department of Historical Research in the Carnegie Institution of Washington and editor of the *American Historical Review*, after "expressing in the warmest terms my hope that the publication will be continued to the end of the Colonial period," continues thus: "I am also very decidedly of the opinion that the importance and value of the Assembly Journals increase as the Colonial period goes on. I dare say that the contrary may be the usual impression, for we all have special interest in origins, and thus in the beginnings of Colonial institutions. But Colonial assemblies increased in power and importance during the Colonial period, so that these records have constantly a higher place among the historian's material. Also, in most colonies the period from 1730 to 1765, and in some respects even to 1775, is much less well known than the preceding periods. Of course I know little of the actual contents, in detail, of the Proceedings after 1730, never having consulted personally either the manuscript or the rare printed volumes; but I cannot help supposing that what is true of the Virginia House of Burgesses is true of the Maryland Assembly. Now Virginian history from 1730 to 1775 is absolutely remade (or will have to be) by the publication of the Journals of the House of Burgesses. They constitute a mass of material greater, in amount and value combined, than all the rest of the printed materials for Virginian history in that period put together.

“Of course these things cost money, but if the Maryland authorities are duly alive to the importance of Maryland history as a support of Maryland public spirit, they will not hesitate to continue the Maryland Archives with the same liberality with which they have maintained it from the beginning (I was teaching at The Johns Hopkins then, and saw that beginning) and, in my judgment, will give a prominent place, perhaps the foremost place in that endeavor, to the completion of the Proceedings and Acts of the Provincial Assembly.”

After the completion of the Proceedings and Acts, the publication of the State Council Proceedings will probably require three or four volumes. The Committee will then be able to determine upon the publication of so much of the Proceedings of the Provincial Court as may seem wise. A portion of those Proceedings clearly should be put into print, though it may be that certain portions will be found not of sufficient interest and usefulness to justify printing them.

Respectfully,

SAMUEL K. DENNIS,

BERNARD C. STEINER,

JOHN M. VINCENT,

*Committee on Publication.*





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## ARCHIVES OF MARYLAND.

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1637/8-1664, - - - - - 1883
- II. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (2),  
1666-1676, - - - - - 1884
- III. PROCEEDINGS OF THE COUNCIL (1), 1636-1667, - - - - 1885
- IV. JUDICIAL AND TESTAMENTARY RECORDS OF THE PROVINCIAL  
COURT (1), 1637-1650, - - - - - 1887
- V. PROCEEDINGS OF THE COUNCIL (2), 1667-1687/8, - - - 1887
- VI. CORRESPONDENCE OF GOVERNOR HORATIO SHARPE, I,  
1753-1757, - - - - - 1888
- VII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (3),  
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- VIII. PROCEEDINGS OF THE COUNCIL (3), 1687/8-1693, - - - 1890
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- XI. JOURNAL OF THE MARYLAND CONVENTION, JULY 26-AUG.  
14, 1775, JOURNAL AND CORRESPONDENCE OF THE  
COUNCIL OF SAFETY (1), AUG. 29, 1775-JULY 6,  
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- XII. JOURNAL AND CORRESPONDENCE OF THE COUNCIL OF SAFETY  
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- XIII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (4),  
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- XIX. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (5), 1693-1697, - - - - - 1899
- XX. PROCEEDINGS OF THE COUNCIL (6), 1693-1697, - - - - 1900
- XXI. JOURNAL AND CORRESPONDENCE OF THE STATE COUNCIL (4), APRIL 1, 1778-OCTOBER 26, 1779, - - - - - 1901
- XXII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (6), 1697/8-1699, - - - - - 1902
- XXIII. PROCEEDINGS OF THE COUNCIL (7), 1696/7-1698, - - - 1903
- XXIV. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (7), 1700-MAY, 1704, - - - - - 1904
- XXV. PROCEEDINGS OF THE COUNCIL (8), 1698-1731, - - - - 1905
- XXVI. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (8), SEPTEMBER, 1704-1706, - - - - - 1906
- XXVII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (9), 1707-1710, - - - - - 1907
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- XXXIII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (12), 1717-APRIL, 1720, - - - - - 1913
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- XXXVII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (16), 1730-1732, - - - - - 1917
- XXXVIII. PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY (17), ACTS HITHERTO UNPRINTED, 1694-1729, - - - - 1918

## PREFACE.

This volume is chiefly composed of acts of the Provincial Assembly of Maryland, which have never previously been printed, although the Proceedings of the Assembly for the years covered have already appeared in the Archives. There were two gaps in the Session Laws available to students until last year, including some of the Laws passed from 1694 to 1699 and some of those passed from 1714 to 1729. The story of the recovery of the original manuscript of the volumes containing the acts of the later period is told in the preface to volume 37 of the Archives. The acts here printed from 1694 to 1698 were copied for the state, under the supervision of George J. Dowse, Esq., of the firm of Edward G. Allen & Son, in London, and are taken from a volume found among the manuscripts relating to American Colonial History in the British Public Record Office. Liber LL, 2, in the Maryland Manuscript Archives, contains the public acts passed from 1694 to 1698, which were in force in 1699, and the volume was probably copied about the latter date. The original manuscript session laws of that period had been lost before 1765, so that Rev. Thomas Bacon could not refer to them in his compilation of Maryland Laws. During the most of the Provincial portion of Maryland History, a duplicate of the laws passed by the General Assembly was sent over to the Lord Proprietary for his approval. In 1692, however, the control and administration of the Province was taken out of his hands by the Crown, and was not restored to him until 1714. During the period from 1694 to 1698, therefore, the duplicate copy of these laws was placed in the records of the English Government. The thought occurred to me that these laws might be found there, and an examination of Professor Charles M. Andrews' "Guide to Material for American History in the Public Record Office" showed an entry which seemed to cover the lost statutes. Correspondence was begun, the lacking titles of the laws were identified, and the material copied from this repository comprises the first part of this book.

Obviously, laws of the character of those printed in this volume are not of the highest importance, yet they should be printed in order to make a complete *Corpus Juris Provinciale Marylandicum*. We now have printed in the Archives practically all the acts of the Provincial Assemblies down to 1732, and this is no small matter. Furthermore, the historian finds the records of unsuccessful

experiments in law making of value to him, and the genealogist and conveyancer may secure valuable information as to pedigree and the title to land, in the acts of naturalization and in those curing defects in deeds and wills.

There is a certain interest in the fact that we now have complete the legislation of that important session of 1715, when Andrew Hamilton was one of the leading members of the Lower House, coming from Kent County, where he was then a neighbor of John Peter Zenger, whose defence in New York was destined at a later date to make both men famous. (Dawson's *Historical Magazine*, August, 1868, 16 Pa. Magazine of History 1, and 20 Pa. Magazine of History 405, contain facts as to Hamilton and his connection with Maryland, while Wisconsin Historical Society Magazine, Vol. 1, prints the most recent account of Zenger.) Zenger's private naturalization act is also to be found in this volume.

In the Appendix to this volume are printed some papers which deal with the period just before 1733, but which were not available for printing in the earlier volumes of the Archives.

In these times, the words of Fuller in the "Holy and Profane State" ring very true:

"We read of King Ahasuerus that having his head troubled with much business and finding himself so indisposed that he could not sleep, he caused the records to be brought in to him hoping thereby to deceive the tediousness of the time, and that the pleasant passages in the Chronicles would either invite slumber or enable him to bear waking with less molestation. We live in a troublesome age and he needs to have a soft bed who can sleep nowadays amidst so much loud noise and many impetuous rumors. Wherefore it seemeth to me both a safe and cheap receipt to procure quiet and repose to the mind that complains of want of rest to prescribe the reading of History. Great is the pleasure and profit thereof. Zaccheus, we know, was low and little in stature; but when he had borrowed some height from the fig-tree, into which he climbed, (Luke xix. 4,) the dwarf was made a giant on a sudden; last minute beneath the arms, but now grown above the heads, of other men. Thus, our experimental knowledge is, in itself, both short and narrow, as which cannot exceed 'the span of our own Life.' But when we are mounted on the advantage of history, we cannot only reach the year of Christ's incarnation, but even touch the top of the world's beginning, and, at one view, over-see all remarkable accidents of former ages."

Like King Ahasuerus, the genial essayist, S. M. Crothers felt that "To live all the time among our contemporaries is not good for us. . . . By getting away from our contemporaries we can be carefree spectators of the play of human forces." ("Pleasures of an Absentee Landlord," pp. 7 and 9.)



Those who turn over the pages of this book, it is true, will not find that they stand on the mountain peaks, or that the laws here recorded form "The true history" . . . . "which most vividly recreates the past, that we may share the great thoughts of men about great things, and be dignified by their possession." (Harold J. Laski, Yale Review, Vol. 6, p. 835.)

Yet the period of beginnings is worth study, and, in these crucial moments, when nations gather for Armageddon, one may well turn to the Eighteenth Century, when "Those troublesome doubts of all kinds, which, since the great upheaval of the French Revolution have harassed mankind, had scarcely begun to ruffle the waters of the life." (Hill's Boswell's Johnson, Vol. I, p. XII.) We may well turn back from our Nation's present important position in the world and investigate the development of the English colonies to the American union. The colonists were not destitute of self consciousness, and they knew that they were laying the foundations of a great structure. As Rev. Charles Chauncey put it, in a letter he wrote Rev. Ezra Stiles on November 5, 1766, "'Tis without doubt the design of Providence that there should arise in North America one or more of the most considerable empires that have been in the world." (Dexter's Stiles' Itineraries, p. 443.)

They laid the foundations deep and strong, and they did their work so well that we are now beginning to learn that it was not merely a flamboyant rhetoric which led George Bancroft to begin the introduction to the first volume of the first edition of his "History of the United States," thus: "The United States Constitution is an essential part of a great political system, embracing all the civilized nations of the earth. At a period, when the force of moral opinion is rapidly increasing, they have the precedence in the practice and the defence of the equal rights of man."

Through the study of the material contained in these Archives, one may practice *diligence* and gain *accuracy*, which Gibbon called (Decline and Fall of the Roman Empire, edition 1807, Vol. I, p. XI) "the only merits which an historical writer may ascribe to himself, if any merit indeed can be assumed from the performance of an indispensable duty."



## ACTS

PASSED BY THE GENERAL ASSEMBLY OF THE PROVINCE OF  
MARYLAND, 1694-1728 (NOT PREVIOUSLY PRINTED)

### An Additionall Act to the Act of Religion.

Be it Enacted by the King and Queens most Excellent Maj<sup>ties</sup> by and with the advice and Consent of this present Generall Assembly and the authority of the same that in every respective Parish within this Province whereunto any Minister is or shall hereafter be appointed by his Excell<sup>cy</sup> the Governour of this Province for the tyme being such Minister as aforesaid shall be added to the Vestry of that Parish as one of the vestrymen thereof, and if any of the vestrymen of that Parish as aforesaid shall not appear att the tyme and place when and where such Vestry shall be held, he or they so omitting their duty as aforesaid shall be fyned by such and so many of the said Vestry as shall be mett att the tyme and place appointed according to their discretion not exceeding the sume of one hundred pounds of Tobaccoc (the Minister only excepted) to be employed towards the use of the Poore Which said Fyne shall be recovered by the Vestry in the County Courts where such person or persons shall reside by Bill Plaint or Informacōn wherein noe Essoyne Proteccōn or wager of Law to be allowed :

And be it further Enacted by the authority aforesaid that the vestry of each severall and respective Parish within twelve months after the Publication of this Law or within twelve months after the finishing of the sev<sup>al</sup>l and respective Churches in such Parishes to be built as aforesaid shall procure a Table of Marriages as is Established by the Church of England to be fairly written and put up in their respective Churches under the penalty of one Thousand pounds of Tobaccoc to every Vestry failing thereof And that all Ministers Priests or Justices of the Peace marrying any person contrary to the Rules of the said Table should pay to the Vestry of the said Parish where the parties reside five Thousand pounds of Tobaccoc and the parties so married shall pay the like Sume the said Sume of Tobaccoc to be employed by the Vestrymen of the said Parish for pious uses att their discretion, which said severall Fynes and Forfeitures shall be recovered by the vestrymen in any Court of Record within this Province wherein noe Essoyne Proteccōn or Wager of Law to be allowed as aforesaid.

And be it further Enacted by the authority aforesaid, that the Vestrymen in each Parish in each respective County of this Province

Public  
Record  
Office,  
London.  
C. O. 5,  
Vol. 731,  
Maryland.  
From  
1694-1702.  
Acts  
(Other Acts  
of this  
Session are  
printed in  
Archives,  
Vol. 19)  
Acts of 1694.  
ch. 12  
(Repealed  
1695, ch. 1)

Public  
Record  
Office,  
London.  
C. O. 5.  
Vol. 731.  
Maryland.  
From  
1694-1702.  
Acts

doe att or before the tenth day of January next and so every year successively Choose out of the most sober and discreet men within their said respective Parishes two persons to serve as Churchwardens, which said two persons shall and are hereby obliged to Act doe and performe all such duties and offices as to their place and office of a Churchwarden doe properly appertaine for and during the space of one whole yeare as aforesaid under the penalty of one Thousand pounds of Tobaccoe each person refusing or neglecting to serve or execute such place and Office as aforesaid to be paid to the parties aforesaid and recovered in manner as aforesaid. And that the said Vestrymen doe see satisfied and allowed to the severall & respective Clerks of the severall and respective Parishes as aforesaid such Salary annually as to them shall seem most meet And to the end that the service of God may be the better performed by putting the Inhabitants of this Province in frequent minde of their Christian duty. Be it also further Enacted by the Authority aforesaid that the Minister in every respective Church or Chappell do in pursuance to his Ma<sup>ty</sup>s Letter directed to the Right Reverend Father in God Henry Lord Bishop of London and Counter signed by the Right Hon<sup>ble</sup> Charles Earle of Shrewsbury their Ma<sup>ty</sup>s principle Secretary of State bearing date the Thirteenth day of February in the yeare of Our Lord One Thousand six hundred Eighty and nine to be Communicated to the two Provinces of Canterbury and Yorke, by himselfe or Clerke reade foure times a yeare all penall Laws within this Province made for the punishment of Vice, together with their said Ma<sup>ty</sup>s Letter within their severall and respective Parishes, on penalty of being deprived of his benefice, any other Custome or usage to the contrary in any wise notwithstanding This Act to endure for three yeares or to the End of the next Generall Assembly which shall first happen :

Acts of 1694,  
ch. 12

An Act for Settling a Revenue on their Ma<sup>ty</sup>s present Governo<sup>r</sup>.

Whereas att a Sessions of Assembly begun and held att the City of St Maries the Tenth day of May Anno one Thousand six hundred ninety and two one Act for support of their Ma<sup>ty</sup>s then Govern<sup>r</sup> of this Province was made and enacted Entituled a Supplimentary Act to the Act for Settlement of an annuall Revenue upon their Ma<sup>ty</sup>s Govern<sup>r</sup> within this Province for the tyme being, thereby enacting and declaring that from and after the Tenth day of October next ensuing that three pence sterling over and above the one shilling on every hogshead of Tobaccoe be the same in Casque or bulke quantity foure hundred pounds neate that should be exported out of this Province should be raised levyed collected and paid unto their Ma<sup>ty</sup>s their heirs and Successors for the supporte of their Govern<sup>r</sup> of this Province for the tyme being in such forme and manner as by an Act imposing one shilling p hogshead for all Tobaccoe exported out of this Province was Ly<sup>m</sup>itted and allowed, and that the said Act should

endure for three years certen, which is now near expired. Wee the Burgesses and Delegates of this present Generall Assembly having duly considered thereof and having a gratefull Sence and hopefull Expectation of his present Ex<sup>ncy</sup> Francis Nicholson Esq<sup>r</sup> his noble and generous just and Equitable Treatment to and with their Ma<sup>ty</sup>s good Subjects of this Province during his Govern<sup>t</sup> thereof do pray that it may be Enacted And be it Enacted by their most sacred Ma<sup>ty</sup>s by and with the Advice and Consent of this present Gen<sup>all</sup> Assembly & the authority of the same that the said Duty or Impost of three pence p hogshead mencōned and imposed in the said first recited Act shall be raised levyed and paid to his present Ex<sup>ncy</sup> Francis Nicholson Esq<sup>r</sup> Govern<sup>r</sup> of this Province in such manner and forme as by the said first recited Act is directed and appointed for and during three yeares or to the end of the next Generall Assembly which shall first happen.

Public  
Record  
Office,  
London.  
C. O. 5.  
Vol. 731.  
Maryland.  
From  
1694-1702.  
Acts

An Act for the appointing of Rangers for the defence of this Province.

Acts of 1694,  
ch. 14 <sup>9</sup> ~~10~~  
(Repealed  
1695, ch. 23)

It being thought absolutely necessary by the Burgesses and delegates of this present Gen<sup>all</sup> Assembly that Rangers should be appointed for the better defence and security of this Province who should yearly range from the Falls of Potomack unto the first draughts of Susquahanah River above the north side of Deer Creek Be it Enacted by the King and Queens most Excell<sup>t</sup> Ma<sup>ty</sup>s by and with the Advice and Consent of this present Gen<sup>all</sup> Assembly and the Authority of the same that it shall and may be lawfull for the Govern<sup>r</sup> of this Province for the tyme being to order and send forth fourteen persons willing to serve or otherwise such and so many to Comānd out of the severall and respective Countyes within this Province to be divided into two distinct partyes to witt six persons and a Comānd<sup>r</sup> in each party who shall from the Tenth day of Aprill next keep out and Range from the Falls of Potomack unto the first draughts of Susquahannah River aforesaid above the north side of Deer Creek aforesaid untill the fifteenth day of October next and so every yeare successively their severall posts and Stations to be nominated and appointed as his Ex<sup>ncy</sup> the Govern<sup>r</sup> of this Province for the tyme being shall think fitt, in Consideracōn of which Services such persons so ranging as aforesaid shall have and receive the severall and respective Sallaries following, that is to say each person comāding as aforesaid shall be paid and allowed the sume of Eight hundred pounds of Tobaccoe p month for every month he shall be in service, and each private Centinell the Sume of six hundred pounds of Tobaccoe p month for every month he shall be in service as aforesaid the said severall and respective sallaries to be levyed by the Govern<sup>r</sup> & his Councell on the Inhabitants of this Province by way of equall assessment any act or custome to the contrary notwithstanding Provided alwayes and it is the true Intent and meaning hereof that this Act nor any thing therein contained shall be construed or taken



Public to Lymitt or debar his Ex<sup>ty</sup> the Govern<sup>r</sup> for the tyme being from  
 Record levying or raiseing any greater Force without the advice or Consent  
 Office, of the Freemen on any Emergent Occasion when & as often as he  
 London. shall see just Cause and the Sallary payable to such forces so extraor-  
 C. O. 5. dinaryly raised as aforesaid to levy as aforesaid, alwayes Provided  
 Vol. 731. the same do not exceed the Summe of Sixty Thousand pounds of To-  
 Maryland, baccoe by the year, any thing herein conteyned to the contrary not-  
 From withstanding And be it Enacted by the authority aforesaid that all  
 1694-1702 persons that shall hereafter be pressed by any person or persons what-  
 Acts soever being thereunto lawfully authorized upon any Publique Service  
 whatsoever or that have any accompts to put into the publike for the  
 future, they prove their accompts before the Justices of the County  
 Courts where they do dwell & reside and do send them downe by one  
 of the delegates of the said County that then the said accompts shall  
 be received and taken as sufficiently proved and shall be allowed  
 and paid to them out of the Publique.

Acts of 1694. An Act confirming the Acts of the last Sessions of Assembly of this  
 ch. 15 Province now remaining upon Record in the Secretaryes Office to  
 be the Body of Laws untill the same shall arrive from England.

Whereas the Body of Laws or Acts of Assembly of this Province  
 made the last Sessions of Assembly held at the City of St. Maryes the  
 Tenth day of May Anno one Thousand six hundred and ninety two  
 was by some casual mistake sent into England instead of an authen-  
 tick copy thereof :

Be it therefore Enacted by the King and Queens most Excellent  
 Ma<sup>ties</sup> by and with the advice and consent of this present Gen<sup>all</sup>  
 assembly and the authority of the same that the transcript of the  
 same Laws now remaining upon Record in the Secretaryes Office in  
 this Province shall be reputed deemed and taken to be the aforesaid  
 Body of Laws so made for this Province as aforesaid untill the  
 arrivall of the same from England.

Acts of 1694. An Act for Reviveing the Temporary Laws of this Province.  
 ch. 16

Be it Enacted by the King & Queens most Excellent Ma<sup>ties</sup> by and  
 with the advice and Consent of this present Gen<sup>all</sup> Assembly and the  
 authority of the same that one Act of Assembly of this Province made  
 att a Gen<sup>all</sup> Assembly begun and held at the City of St. Maryes the  
 Tenth day of May in the yeare of our Lord one Thousand six hun-  
 dred ninety and two Entituled an Act Prohibiting Trade with the  
 Indians for any Flesh dead or alive except deer and Wildfowle, one  
 other Act made the same Assembly Entituled An Act for the more  
 speedy bringing to Tryall and Suppressing Criminals and Lymitting  
 the punishment of them for certain Offences when prosecuted in the  
 County Courts, One other Act made the same Assembly Entituled  
 an Act concerning Negroes and Slaves, One other Act made the same



Assembly declareing what shall be done by the Sheriff Ex Officio, One other Act made the same Assembly for securing Merchants and others Tobaccocoe after they have received it, One other Act made the same Assembly entituled an Act for Lymitacōn of Officers Fees, One other Act made the same Assembly entituled an Act for Lymitting County Clerks Fees, within this Province, One other Act made the same Assembly entituled An Act for the Ordering and regulateing the Militia of this Province for the better defence and Security thereof, One other Act made the same Assembly Entituled an Act Ascertaining what damages shall be allowed upon Protested Bills of Exchange, One other Act made the same Assembly Entituled an Act for the better Administration of Justice in the County Courts of this Province, One other Act made the same Assembly Entituled an Act for Encouragement of Tillage, and raiseing Provisions for advancement of Trade within this Province, One other Act made the same Assembly Entituled an Act for Amerciaments in the Provintiall & County Courts, One other Act made the same Assembly Entituled an Act against the Exportacōn of Wool and Old Iron, One other Act made the same Assembly Entituled an Act for the Restraining the Exportacōn of Leather and Raw Hides deer and Elke Skinns out of this Province for the Encouragement of Shoemakers and Tanners, One other Act made the same Assembly Entituled an Act prohibiteing Forraigne Engrossers, that the said sev'all recited Acts of Assembly and every of them, and every Article & Clause therein conteyned shall & are hereby revived & Continue to stand and be in full Force and Effect for and during three years or the End of the next Sessions of Assembly which shall first happen.

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An Act for Repealing certain Laws of this Province.

Acts of 1694,  
ch. 17

Be it Enacted by the King & Queens most Excellent Ma<sup>ty</sup>s by and with the Advice & Consent of this present Gen<sup>l</sup> Assembly and the Authority of the same, that one Act of Assembly of this Province made at a Gen<sup>l</sup> Assembly begun and held at the City of St. Maryes the Tenth day of May in the yeare of our Lord one Thousand six hundred ninety and two Entituled an Act prohibiteing all Masters of Shippes or Vessells, or any other persons from transporting and conveying away any person or persons out of this Province without passes. One other Act made the same Assembly Entituled an Act for the Restraining the unreasonable Encrease of Horses in this Province One other Act made the same Assembly Entituled an Act for Advancement of Coynes. One other Act made the same Assembly Entituled an Act prohibiteing Trade with the Indians. One other Act made the same Assembly Entituled an Act appointing Peter Paggan Merchant to be Agent for their Ma<sup>ty</sup>s Province of Maryland, the said severall Acts of Assembly and every of them, and every Article Clause and thing therein conteyned shall be and are hereby

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of 1694,  
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by 1695,  
ch. 16)

utterly Repealed and made voyd, any thing in the same or any other act to the contrary in any wise notwithstanding.

### An Act for Appeals and regulateing Writts of Error.

Forasmuch as the Liberty of Appeals from the Judgement of the County Courts is found to be of great use and benefit to the people of this Province Bee it therefore Enacted by the King & Queens Excellent Ma<sup>ty</sup>s by and with the Advice and consent of this present Gen<sup>l</sup> Assembly and the Authority of the same that noe Execution upon Judgements in the County Courts or other Inferiour Courts of Record in this Province shall be stayed or delayed, or any Supersedias upon such Judgment Granted or issued forth upon any appeale from any such Court or Courts of record as aforesaid to the Provin<sup>t</sup>iall Court of this Province in any action whatsoever unless such person or persons in whose names such appeales shall be made or some other on his or their behalfe shall immediately upon making such appeale enter into Bond with sufficient Suretyes such as the Court where such Judgement is or shall be given shall approve of in the penalty of double the Summe adjudged to be recovered by such Judgement of such County Court or other inferiour Court from which the said appeale shall be made, with Condi<sup>c</sup>ōn that if the party appealant shall not pursue the directions of this Act hereafter men<sup>c</sup>ōned att the Provin<sup>t</sup>iall Court then next ensuing according to the Rule of the Provin<sup>t</sup>iall Court, and prosecute the same with Effect, and also satisfye and pay unto the said Party his Heirs Extor<sup>s</sup> Adm<sup>r</sup>s or Assignes in case the said Judgment shall be affirmed as well all and singular the debt damages and Costs adjudged by the Court as alsoe all costs and damages as shall be awarded att the Provin<sup>t</sup>iall Court for the same delaying of Execution then the said Bond to stand in full force and virtue And whereas it hath been found of ill Consequence to this Province that no Provision hath been made for the lymitacōn of appeales from the severall & respective County Courts to the Provin<sup>t</sup>iall Court Be it therefore Enacted by the Authority aforesaid by and with the Advice and consent aforesaid that noe person or persons whatsoever against whom any judgement shall be given in any County Court within this Province wherein the originall debt for which such Judgement shall be given as aforesaid doth not amount to or exceed the Summe of twelve hundred pounds of Tobaccoe shall be allowed any appeale; but such Judgement of the Justices of the County Court soe given and Entred as aforesaid shall be definitive for any such debt under the Summe aforesaid any Law Statute Usage or Custome to the contrary in any wise notwithstanding And whereas alsoe by the Law of England there is noe Rule prescribed for the Prosecution of Appeales (being not altogether agreeable to the Practice of the same Law) yet being found necessary & Convenient for the good of this Province aforesaid Be it therefore Enacted by

the Authority aforesaid that the Method and Rule for the Prosecution of such appeales as aforesaid shall for the future be in manner and forme hereafter expressed (that is to say) the party appealant shall procure a Copy or Transcript of the full proceedings of the said Court from whence such appeale shall be made under the hand of the Clerke of the said Court and the Seale of the said Court, and shall cause the same to be transmitted to the Provintiall Court then next ensuing, and shall also at the same Provintiall Court file in writeing according to the Rules of the said Provintiall Court such Error<sup>r</sup> in the said Proceedings as he shall think fitt to assigne or such Clauses or reasons as he had for makeinge the said appeale, Whereupon and upon the said Transcript the Provintiall Court shall proceed to give Judgement as in cases of Writts of Error is usuall. Provided this Act shall not Barr any person or persons from suing out Writts of Error according to due Course of Law, but that every such person or persons shall be left to their Eleccōns whether they will bring a Writt of Error or sue out an Appeale as aforesaid. Provided also that every person & persons that shall sue out any Writt of Error or Supersedeas in any case whatsoever shall before such Writt of Error or Supersedeas be issued enter into Bond with the penalty of double the Summe adjudged to be recovered by the former Judgement of the Inferiour Court before the Chancellor or Secretary of this Province for the tyme being with sufficient Surety or Sureties to prosecute such Writt of Error with effect, and in case the said former Judgement shall be affirmed to pay and satisfye all and singuler debts damages & Costs adjudged by the said former Judgm<sup>t</sup> of the Inferiour Court and also all Costs & damages as shall be awarded by the Superiour Court where such Writt of Error is returnable. And be it further Enacted by the Authority aforesaid that all & every appeales made in manner aforesaid shall from henceforth by the Provintiall Court of this Province be admitted and allowed of in nature of a Writt of Error. And be it further Enacted by the authority aforesaid that all and every Clerke and Clerks of the respective County Courts or other Inferiour Courts of this Province, shall be and are hereby obliged at the tyme of such Courts sitting when any appeale shall be demanded to enter a memorandum of such demand as well in his or their Journall as in the fair Records of the Proceedings of such Court or Courts, and that no Clerk or Clerks of any County Courts or other inferiour Courts of Records of this Province for the future refuse or delay upon the Request of any such Appeale to write or make out Transcript or Transcripts of such Proceedings as aforesaid under his hand and the seale of the said Court as aforesaid upon penalty to pay the respective damage or damages which such person or persons shall susteyne by such refusall or delay as aforesaid the party appealant paying or securing such respective Clerke his just Fees for the same according to law, And be it further Enacted by the Authority aforesaid that no officer

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or Officers within this Province shall hereafter for any such Writts of Error Supersedeas or Scire facias to have Judgem<sup>t</sup> upon Error from the Provinciaall Court of this Province to any County Court or other inferiour Court of this Province receive or demand any other Fee or Fees then is hereafter mencōned That is to say for a writt of Error to the Secretary Fifty pounds of Tobaccōe and to the Chancellor for the Seale thereof One hundred & twenty pounds of Tobaccōe, for a Supersedeas to the Secretary fifty pounds of Tobaccōe and to the Chancellor for the Seale thereof one hundred & Twenty pounds of Tobacco, for a Scire facias to the Secretary fifty pounds of Tobaccōe and to the Chancellor for the Seale thereof one hundred and Twenty pounds of Tobaccōe any Law Usage or Custome in anywise to the Contrary notwithstanding And for the Lymitting and Regulateing of Appeals from the Provinciaall Court Be it Enacted that the Method and forme herein expressed be observed and pursued that is to say upon any Judgem<sup>t</sup> given or obteyned in the said Court wherein the Originall debt or damages shall exceed the Summe of Fifty pounds sterling or Twenty Thousand pounds of Tobaccōe The appeale from such Judgem<sup>t</sup> of the said Provinciaall Court shall be made unto the Govern<sup>r</sup> and Council of this Province wherein and in the prosecution of such appeale or Appeales the party appealant shall observe the Methods and Rules herein before mentioned for the prosecuting of appeals from the County Courts unto the said Provinciaall Court, and shall give in such security as aforesaid, And if such Judgement shall be affirmed by the said Govern<sup>r</sup> & Council the same shall be finall and without any further Review unless it shall exceed the Summe of Three hundred pounds sterling And be it further Enacted by the authority aforesaid that all and every person or persons whatsoever shall conceive him or themselves relievable in Equity before a Court of Chancery from any Judgem<sup>t</sup> given or obteyned against him in the Provinciaall Court or County Court aforesaid shall Exhibitt his Bill and proceed in such Court of Chancery before any appeale be Entred or prosecuted before the Govern<sup>r</sup> & Council aforesaid and not afterwards, and that all such persons that shall conceive themselves aggrieved by any decree in the said Court of Chancery, wherein the Originall debt shall exceed the Summe of Ffty pounds sterling or Twenty Thousand pounds of Tobaccōe shall be att Liberty to Exhibitt his Prayer to the Govern<sup>r</sup> and Council to review & Examine the Same, and that such Sentence Judgem<sup>t</sup> or Decree of the said Govern<sup>r</sup> and Council either in Law or Equity as aforesaid shall be finall in this Province, not but that any person or persons aggrieved with such Sentence Judgement or Decree of the said Govern<sup>r</sup> & Council where the reall vallue in dispute shall exceed Three hundred pounds Sterling according to their Ma<sup>ty</sup>s Royall Commission & Instruction to his Exc<sup>ncy</sup> Francis Nicholson Esq<sup>r</sup> their Ma<sup>ty</sup>s Captain Generall and Govern<sup>r</sup> in Cheif of this Province shall and may appeale to their Ma<sup>ty</sup>s in their Privy Council



according as their Ma<sup>ty</sup>s by their said Commission and Instruccōns have beene pleased graciously to appoint and direct and that one Act of Assembly made at the Gen<sup>l</sup> assembly of this Province begun & held at the City of St. Maryes the Tenth day of May in the yeare of our Lord One Thousand six Hundred Ninety & Two Entituled an Act for Appeals & Regulateing Writts of Error and every part thereof be and is hereby utterly repealed & made voide And that all Writts of Error or Appeals already made from any Judgement of the Provinciall Court to the Govern<sup>r</sup> and Councill in the Assembly shall & may be heard & determined by the said Govern<sup>r</sup> & Councill out of Assembly tyme any thing in the same Writt or any other former Law or Practice to the contrary notwithstanding. This Act to endure for three yeares or to the end of the next Sessions of Assembly.

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An Act for the Imposition of four pence per Gallon on Liquors imported into this Province.

Acts of 1694,  
ch. 19.  
(Continued  
by 1695,  
ch. 16)

For raising money for building and repairing Court houses Free schools Bridewells or such Publick services It is by this generall Assembly thought that no greater Expedient can be found then by assessing an Impost upon Liquors of fourpence <sup>p</sup> Gallon upon all such Liquors as shall be imported into this Province (Liquors from England only excepted) Wherefore wee your Ma<sup>ty</sup>s most humble & Loyall Subjects the Delegates & Burgesses of this present gen<sup>l</sup> Assembly humbly pray that it may be enacted and Be it Enacted by the King & Queens most Excellent Ma<sup>ty</sup>s by & with the advice & Consent of this present gen<sup>l</sup> Assembly & the Authority of the same that from & after the Publicacōn hereof All masters of Shippes & other Vessels (except such as shall be built and properly belonging unto the People of this Province) importing Liquors into this Province pay unto their Ma<sup>ty</sup>s Navall Officer for the tyme being for the use of this Province the Summe of fourpence <sup>p</sup> Gallon for every Gallon of Liquors imported into this Province as aforesaid. And whereas this present Generall Assembly do find that the moneys of this Province is most or the greatest parte thereof conveyed into Pennsylvania to purchase Beer Ru<sup>m</sup>e & other Liquors to the great discouragement of Husbandry & Tillage in this Province Be it therefore Enacted by the King & Queens most Excellent Ma<sup>ty</sup>s by & with the Advice & Consent of this present Generall Assembly & the Authority of the same That all persons importing Beer or other Liquors except what is hereafter excepted from Pennsylvania by land into this Province shall pay unto their Ma<sup>ty</sup>s said Officers sixpence <sup>p</sup> Gallon for every Gallon of Beer or other Liquors so imported as aforesaid And that all persons whatsoever importing any Ru<sup>m</sup>e from Pennsylvania by land into this Province shall pay unto their said Ma<sup>ty</sup>s Navall officer aforesaid nine pence <sup>p</sup> Gallon for every Gallon of Ru<sup>m</sup>e so imported as aforesaid. Provided nevertheless and it is

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hereby declared that this Act nor any thing therein conteyned shall extend to the charging of any Liquors whatsoever imported by Water from Pennsylvania or any other place into this Province, with more then the Imposicōn of four pence p Gallon hereby before imposed all which duties ariseing by such Imposicōn of Liquors as aforesaid shall be collected & gathered by their Ma<sup>ty</sup>s Navall Officers in their severall & respective districts, for which they shall have for their Sallery Eight pounds p Cent. And be it Enacted by the Authority aforesaid that all Shippes or Vessells belonging or which shall hereafter belong to any Inhabitants of this Province, shall after the Proclaiming of this Act importe into this Province any such Liquors as aforesaid shall pay only half the duty imposed upon other shippes & Vessells importing any such Liquors as aforesaid: And for the due collecting the Duty & Impost hereby assessed Be it Enacted by the Authority aforesaid That noe such Liquors upon which the Duty aforesaid is assessed shall be landed or putt on shore out of any Ship or other Vessel importing any Liquors aforesaid before due Entry thereof made upon Oath with the Officer hereby appointed for collecting the same in the Port or place where the same shall be imported as aforesaid or before the Duty due & payable for the same be satisfyed or secured to be satisfyed for the same, and a warrant for landing the same signed by the officer for that purpose appointed upon paine & penalty that all such Liquors so landed & put on shore contrary to the true intent & meaning of this Act or the vallue thereof shall be forfeited and lost one half thereof to their Ma<sup>ty</sup>s their heires and successors for the use of the Free Schools of this Province, the other halfe to the Vestry of the Parish where such goods shall be landed contrary to this Law, to be recovered in any of their Ma<sup>ty</sup>s Courts of Record of this Province by action of Debt Bill Plaint or Informacōn wherein no Essoyne Protection or Wager of Law to be allowed, to be recovered of the Proprietors true Owners or Importers thereof. And for the better Incouragement of all Masters Merchants Owners and other persons whatsoever to make due Entry & payment of the Dutys Rates & Imposts raised by this Act, in consideration of Leakage and other Damages the said Officer is hereby authorised and Impowered to make Allowance and Abatement of Twenty Gallons p hundred for all Liquors duly Entred as aforesaid And the said Officers hereby appointed for Collecting & gathering the duties aforesaid shall and are hereby Impowred upon suspition of any Fraud or deceite by any Importer Owner or Proprietor of such Liquors in concealing and not making due Entry of the same to go and enter on board any shipp or Vessel or into any House or Warehouse on shore, and from thence to seize bring on shore or secure all such Liquors for which the duties aforesaid are not duly paid or secured to be paid as aforesaid. And that the said Officers and their deputies may freely stay & remaine on board until the goods are delivered and discharged out of the said Shipp or other Vessel, and all



Officers and Ministers as well Millitary as Civill of the Province and all Captains & Officers of any Shippes are hereby required comanded & enjoyned to be aiding & assisting to such their Ma<sup>tyes</sup> Navall Officers or Officers in discharge of their duty herein for all which the said Officers and others assisting them shall be saved and kept harmeless by virtue of this Act And be it further Enacted That all such Navall Officers shall give good security to the Govern<sup>r</sup> for the tyme being and shall take their severall Oaths well & faithfully to gather the same Impost so arising and a just & faithfull account thereof once a year to render and give to M<sup>r</sup> Thomas Taskar of Calvert County and Cap<sup>t</sup> William Whittington of Somersett County Publick Treasurers of this Province by this Act authorized for receiving the said Impost (for which they shall have for their Sallary four pounds p cent.) that is to say the said M<sup>r</sup> Thomas Taskar for the Western Shore, and the said Cap<sup>t</sup> William Whittington for the Eastern Shore, and in case of either of their deaths to the survivor for both shores, who are to be answerable for the same, and give Bond for the same to be accountable and render an Account thereof to the next meeting of Assembly who shall have the ordering and disposing of the same, (except what shall be disposed of by this present Generall Assembly) And be it further Enacted by the authority aforesaid that every Master at the time of Entring of such Shippes or other Vessells wherein such Liquors shall be imported as aforesaid shall render upon oath an Account of the Quallity & Quantity of such Liquors as aforesaid And that the severall & respective Navall Officers within this Province for the tyme being shall at the tyme of Entring such Shippes & Vessells as aforesaid take good & sufficient Security in their Ma<sup>tyes</sup> names for the payment of the Imposicōn aforesaid to such uses & purposes and in such manner and forme as by this Act is appointed And that all persons importing any Liquors by land from Pennsylvania and not making due entry thereof or concealing the duty hereby Imposed shall be subject to the same pains & penaltys as for not making due Entry or concealing any Liquors by Water imported as aforesaid And be it Enacted by the Authority aforesaid that one Act of Assembly of this Province Intituled an Act for the Imposicōn of four pence p Gallon on Liquors imported into this Province be and is hereby utterly repealed. This Act to endure for three yeares or to the end of the next Generall Assembly which shall first happen.

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An Act to prevent the greate Evill occasioned by the multiplicity of horses within this Province.

Whereas it is manifest that from the great Numbers and Abundance of Horses there arises many great Evills and Inconveniencies to the Inhabitants of this Province, as namely the small stature of Stallions running wild doth both Lessen & spoyle the whole breed and Streyn of all horses; but that which is most grievous and intol-

Acts of 1694,  
ch. 20  
(Continued  
by 1695,  
ch. 16 and  
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lerable in the utter Ruine & destruccōn of Corne Feilds, Pastures, and other Inclosures, which otherwise would produce great store of good & usefull provisions, And whereas the severall Acts heretofore made for prevention of the aforesaid Evills have not had the happy Effect as was by them Intended Be it therefore Enacted by the King & Queens most Excellent Ma<sup>ty</sup>s by and with the Advice & Consent of this present Generall Assembly and the authority of the same that from and after the first day of May next till the Tenth day of November next and so yearly & every year all Owners of any horse horses Mares Colts and Geldings shall & are hereby obliged to keep all or any such Horse or Horses Mares Colts and Geldings within good and sufficient Inclosures fenced grounds or pastures from the first day of May till the tenth day of November yearly for prevention of the greate Mischeife and Evills aforesaid upon the pains and penaltys hereafter following Be it further Enacted that if the Owner or Owners of any such Horse or Horses as aforesaid shall omitt to take drive in and keep up all such horses as before mencōned & intended, by which meanes any such horses shall breake in or into the Pastures Cornefeilds or other Inclosures of any Inhabitants within this Province within the tyme or between the first day of May and the Tenth day of November as aforesaid the said Owner or Owners of such horse or horses as aforesaid having notice or warning thereof given him her or them three severall tymes by the party grieved and notwithstanding the Owner or Owners of such horse or horses as aforesaid shall & will neglect to performe what by this Law is Injoynd & required. That then it shall & may be lawfull for the party grieved and damnified to shoote kill and destroy all or any such horse or horses Mares Colts and Geldings as aforesaid Provided always that no person whatsoever thō grieved or damnified shall presume to shoote kill or destroy any such horse or horses as aforesaid any where except upon his her or their proper Freehold or lands within his her or their lawfull possession by Lease for yeares yearly rent or other lawfull Tenure upon the penalty of paying the Owner thereof the full vallue thereof to be recovered in any of their Ma<sup>ty</sup>s Court of Record by Bill Plaint or Informacōn wherein no Essoyne Proteccōn or Wager of Law to be allowed. And be it further Enacted that if the Owner or Owners of any such Horse Horses Mares Colts or Geldings shall not be knowne to the party or parties grieved or damnified as aforesaid he she or they soe grieved shall and are hereby obliged with two sufficient Evidences to take notice of the colour naturall and artificiall markes of any such horse Mare Colt or gelding in writing and the same to affix and put up at the most Publick place within the County where such damage as aforesaid shall happen to be done for the space of one whole month att the end of which noe Owner appearing It then shall & may be lawfull for the partys grieved to shoote kill and destroy the said Horse or Horses upon his her or their lands as aforesaid This

Act to endure for Three years or to the end of the next Generall Assembly or which shall first happen.

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An Act for Regulatiny Ordinaryes and Lymitting the Number of them within this Province.

For the better Regulatiny Ordinary Keepers and Inholders within this Province for the future Be it enacted by the King & Queens most Excellent Ma<sup>ty</sup>s by and with the Advice & Consent of this present Generall Assembly and the authority of the same that from and after the Publicacōn hereof the Comīssioners of each County Court and the Mayor Recorder and Aldermen of the City of St. Mary's at the Mayor's Court be and are hereby authorized from tyme to tyme and as often as need shall require to grant Lycences to such person or persons as they shall think fitt to be Ordinary Keepers and Inholders for the keeping of Ordinaryes and houses of Entertainment for so long tyme and in such & so many places within their severall & respective Countyes and City aforesaid for the Ease & Conveniency of the Inhabitants Travellers and Strangers as to them respectively shall seem meet for which said Lycences the said persons that shall be so Lycenced to keep Ordinary shall att the tyme of his or their taking of such Lycence or Lycenses be bound and obliged to pay to the Secretary of this Province for the tyme being, if he or they keep Ordinary within the City of St. Mary's or within two miles thereof two Thousand pounds of Tobaccoe yearly for a Fyne for every such Lycence or if he or they keep ordinary within any County in this Province twelve hundred pounds of Tobaccoe and give Bond for due payment thereof. And it is hereby Enacted by the authority aforesaid that the Clerke of each respective County Court within this Province, and the Clerke of the Mayors Court of the said City of St. Mary's shall cause such Lycence & the Fynes for granting such Lycences, and the Securety given for payment & performance thereof to be duly Entred upon Record in their severall Courts and then Transmitt the said Bonds to the Justices of the Provintiall Courts for their Ma<sup>ty</sup>s use, for which said Lycences and Bonds the said Ordinary Keepers shall pay to such respective Clerke sixty pounds of Tobaccoe and no more. And be it further Enacted that the Commiss<sup>rs</sup> of the County Courts and the said Mayor Recorder and Aldermen of the said City be and are hereby further impowred and authorized at their severall County Courts and Mayors Courts in the Month of January & in the Month of August halfe yearly in every year during the continuance of this Act having Summoned every respective Ordinary Keeper within their respective Countyes and City then and there to appeare before them then & there to assess the Rates and Prizes of all Liquors whatsoever (in this Act not hereafter men- cōned) by them the said Ordinary Keepers vended or to be vended for the year ensuing and so for every year during the Continuance of this Act, Which Rates and Prizes so to be sett assessed lymitted

Public and appointed by the Com<sup>miss</sup><sup>rs</sup> as aforesaid & by the Magistrates of  
 Record the City aforesaid shall be by their sev<sup>r</sup>all and respective Clerks  
 Office, fairly transcribed and sett up at their sev<sup>r</sup>all and respective County  
 London, Courts and City aforesaid in some Publick place or places there that  
 C. O. 5, any person or persons may peruse the same, for which Sum<sup>es</sup> and  
 Vol. 731, Table of Prizes every Ordinary Keeper shall pay to such Clerke the  
 Maryland. From any person or persons may peruse the same, for which Sum<sup>es</sup> and  
 1694-1702, Table of Prizes every Ordinary Keeper shall pay to such Clerke the  
 Acts Sum<sup>e</sup> of Forty pounds of Tobacc<sup>oe</sup>, and any Ordinary Keeper or  
 Inholder that shall after the setting and assessing the Rates and  
 Prizes aforesaid directly or indirectly take exact and demand or  
 receive for the Price and pay for any such Liquors for which the  
 Rates and Prizes shall be sett & assessed as aforesaid of any person or  
 persons whatsoever above the Rates and Prizes so assessed as afore-  
 said shall for every such offence forfeite and pay the Sum<sup>e</sup> of Five  
 hundred pounds of Tobacc<sup>oe</sup> one halfe thereof to their Ma<sup>ty</sup>s and the  
 other halfe to him or them that shall informe and sue for the same,  
 and loose every such debt so unjustly charged exacted and demanded  
 the said forfeiture to be recovered in any Court of Record within this  
 Province wherein no Essoyne Protecc<sup>ō</sup>n or wager of Law to be  
 allowed. And every such Ordinary Keeper that shall demand exact  
 or receive above the Sum<sup>e</sup> of Ten pounds of Tobacc<sup>oe</sup> p<sup>r</sup> Gallon for  
 small Beer, twenty pounds of Tobacc<sup>oe</sup> p<sup>r</sup> Gallon for strong Beer  
 for a nights lodging in a Bed four pounds of Tobacc<sup>oe</sup> for a Peck of  
 Indian Sheld Corne or Oates for a horse twelve pounds of Tobacc<sup>oe</sup>  
 for pasturage for a horse p<sup>r</sup> night six pounds of Tobacc<sup>oe</sup> for hay or  
 straw for a horse p<sup>r</sup> night ten pounds of Tobacc<sup>oe</sup> shall also pay and  
 forfeite for every such offence the sum<sup>e</sup> of Five hundred pounds of  
 Tobacc<sup>oe</sup>, one halfe thereof to their said Ma<sup>ty</sup>s the other halfe to  
 him or them that shall informe and sue for the same to be recovered  
 as aforesaid & loose his debt so unjustly charged as aforesaid. And  
 to the Intent that all persons Inhabitants Travellers and Strangers  
 may be certain of sufficient accom<sup>o</sup>dac<sup>ō</sup>ns for themselves and Horses  
 Be it Enacted by the Authority aforesaid that every Ordinary Keeper  
 or Inholder to be Lycenced as aforesaid shall within six months  
 after the Granting of their respective Lycences be and are hereby  
 obliged to provide & mainteyne if the said Ordinary be kept at the  
 Court House of the said County or att the City twelve good Sub-  
 stantiall Bedds with Covering for the same, And if the said Ordinary  
 be kept att any other parte of the County then at the Court house  
 aforesaid to provide six good Bedds at the least under the penalty of  
 paying one Thousand pounds of Tobacc<sup>oe</sup> one halfe to their Ma<sup>ty</sup>s the  
 other halfe to him or them that shall sue for the same to be recovered  
 by Bill Plaint or informac<sup>ō</sup>n wherein no Essoine Protecc<sup>ō</sup>n or Wager  
 of Law to be allowed. Provided alwayes that no person or persons  
 so Lycenced or to be Lycenced to keep Ordinary as aforesaid shall  
 during the tyme of such their keeping Ordinaryes be Justices of the  
 Peace nor Com<sup>miss</sup><sup>rs</sup> in any County Court within this Province nor



Mayor Recorder nor Alderman of the said City of St. Maryes any thing in this Act to the contrary notwithstanding

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And it is further Enacted by the Authority aforesaid that any Ordinary Keeper keeping Evill Rule or Order in his house and suffering extraordinary drinking and quarrelling in his house upon Complaint thereof made to the Justices of the County Courts of such Ordinary Keepers misbehaviour of himself or keeping Evill Rule in his house The said Justices of the said County Courts may and are hereby authorized and Impowred to Suppress such Ordinary and call in such Lycence And be it further Enacted that if any Ordinary Keeper disabled and suppressed as aforesaid or any other person that shall presume to keep Ordinary without Lycence first had and obteyned shall for every month he or they shall keep Ordinary as aforesaid forfeite and pay Ten Thousand pounds of Tobaccoe one halfe to their Ma<sup>ty</sup>s the other to him or them that shall sue for the same to be recovered in any Court of Record in this Province by Bill Plaint or Informacōn wherein no Essoyne proteccōn or Wager of Law to be allowed. And it is hereby Enacted by and with the advice and consent aforesaid that the Justices of the Provinciaall Court and the Comiss<sup>rs</sup> of the sev<sup>al</sup>l & respective County Courts shall give this Act in Charge to the severall Grand Juryes, as also the severall Comiss<sup>rs</sup> of the respective Courts and the Magistrates of the said City to their severall & respective Constables to enquire into the Breach of this Act and into all disorders comitted in the said Ordinaryes and present the same (if any be) to the said severall Courts there to be examined and punished according to Law. And be it further Enacted by the Authority aforesaid by and with the advice and consent aforesaid that no person whatsoever so Lycenced to keep Ordinary as aforesaid shall refuse to Creditt any person whatsoever being capable of Giving his Vote for the Eleccōn of Burgesses in any County within this Province for the vallue of Four hundred pounds of Tobaccoe p<sup>r</sup> Annum for any Accommodacōns by him vended whereof any such person so Capacitated as aforesaid shall have occation of or require to be accomodated with under the penalty and forfeiture of Four hundred pounds of Tobaccoe to be paid by such Ordinary Keeper soe refusing to Creditt such person as aforesaid one Moyety thereof to their Ma<sup>ty</sup>s the other to the Vestry of the Parish where such Ordinary shall be kept. This Act to endure for three years or to the end of the next Sessions of Assembly which shall first happen.

An Act Prohibiting the Inhabitants of this Province or any others from carrying Liquors to the Indian Towns & Cabbins.

Acts of 1694,  
ch. 22  
(Continued  
by 1695,  
chs. 16 and  
26)

Be it Enacted by the King and Queens most Excellent Ma<sup>ty</sup>s by and with the Advice and Consent of this present Gen<sup>l</sup>l Assembly and the Authority of the same that from and after the Publication

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hereof, any person or persons whatsoever Inhabiting or trading into this Province that shall presume to carry any Liquors whatsoever to any Indian Forte Towne or Cabbin and shall vend or dispose of the same to any Indian or Indians whatsoever such person or persons shall forfeite the Sume of Five Thousand pounds of Tobaccocoe one halfe thereof to our Sovereigne Lord and Lady the King and Queen their heyres & Successors for supporte of Government the other halfe to him or them that shall informe and sue for the same to be recovered in any Court of Record within this Province, wherein no Essoyne Proteccōn or wager of Law to be allowed. This Act to Continue for three yeares or to the end of the next Sessions of Assembly which shall first happen.

Acts of 1694, ch. 23  
(Repealed by 1695, ch. 22)

An Act for the laying an Imposicōn on severall Comodities exported out of this Province.

Be it Enacted by the King and Queens most Excellent Ma<sup>ty</sup>s by and with the advice and consent of this present Generall Assembly and the Authority of the same that from and after the Publicacōn hereof any person or persons whatsoever Inhabiting or residing within this Province that shall trade barter or traffick with any Indian or Indians or other persons whatsoever within this Province for any Furrs within this Act hereafter mencōned & expressed with Intent to exporte the same either for England or any other their Ma<sup>ty</sup>s Plantacōns here in America shall pay unto their most Sacred Ma<sup>ty</sup>s their heires & Success<sup>rs</sup> to be employed towards the mainteynance of a Freeschoole within the Province aforesaid the severall duties & Impost following (that is to say) for every Baire skin nine pence sterling for Beaver skins four pence p skin, for Otters threepence p skin, for wild Catts Foxes Minxes Fishers and Wolfe skins one penny halfe penny p skin, for Musk Ratt skins fourpence p dozen, for Raccoons three farthings p skin, for young Bair and Cub skins two pence p skin, and that all nonresidents trading into this Province that shall from and after the Publicacōn aforesaid barter or traffick with any Indian or Indians or other persons whatsoever within the same for any Furrs or skinns before mencōned shall for every skin of what nature or quallity soever being comprised within this Act and by him Exported out of this Province pay unto their said Ma<sup>ty</sup>s their heyres and Success<sup>rs</sup> for the use aforesaid double the duty by this Act appointed to be paid by persons Inhabiting and residing within this Province, the same severall Imposicōns to be Collected by the severall & respective Navall Officers within this Province which said Navall Officers shall once a year render an Account of the said Imposicōn unto the Govern<sup>rs</sup> Trustees and Visitors of the said Freeschools for the tyme being who shall and are hereby authorised and impowred to order and dispose of the same for the uses intents and purposes aforesaid And to the End the severall Imposicōns may be justly and duly paid without fraude or deceite

Be it Enacted by the Authority aforesaid that any person or persons exporting any Furrs or Skinns out of this Province shall att or before the shipping on board such Vessell in which such skinns or Furrs shall be exported as aforesaid render upon Oath a just Account of the Nature Quantity and Quality of such Skinns by him exported as aforesaid, and whether the same be his her or their proper goods and Comodities or the goods and Comodities of any other person or persons, then whether he she or they to whome they do properly belong as aforesaid be Inhabitants or Residents within this Province aforesaid which said Oath shall be exhibited by the said severall and respective Navall Officers aforesaid or their Deputyes thereunto espetially appointed, and if any person or persons whether Inhabitants or Nonresidents trading into this Province shall putt on board any Shipp or other Vessell any Furrs or Skins for which he she or they shall not have paid the Imposicōn aforesaid or given good and sufficient Caution for the same to the Navall Officer of that Port and place from whence such Furrs and skins shall be shipt as aforesaid or to his Deputy for the tyme being a Certificate from under the hand of such Navall Officer or his Deputy produce for the payment or Caution by him given for payment of the Imposicōn aforesaid he she or they soe offending shall forfeite and Loose all his her or their Furrs or Skins soe shipped as aforesaid One halfe thereof to their said Ma<sup>ty</sup>s their heires and Success<sup>rs</sup> for the use aforesaid the other halfe to him or them shall informe and sue for the same to be recovered by Accōn of Debt Bill or Plaint or Informacōn wherein no Essoyne Proteccōn or Wager of Law shall be allowed. And that the Master of any such Ship or Vessell that shall wittingly or knowingly take on board his said Ship or Vessell any Furrs or skins as aforesaid for which the party or partyes shipping the same shall not produce a Certificate as aforesaid being thereof legally convict shall forfeit and pay the Summe of five Thousand pounds of Tobaccoe one halfe thereof to their sacred Ma<sup>ty</sup>s their heirs and Successors for the use aforesaid the other halfe to him or them that shall informe and sue for the same to be recovered as aforesaid. And that the severall & respective Navall Officers of the severall & respective Ports may and are hereby authorized and Impowred, when and as often as he or they shall think fitt to enter into any Shipp or other Vessell trading to and from this Province, or into any house or Warehouse or other Building and open any Chest Trunke Casque or Fardell or search to make in any part or place of such ship or vessell houses or buildings as aforesaid where such Navall Officer shall suspect any such Furrs or skins to be as aforesaid for which no Account is given or duty paid as aforesaid, and upon finding such Furrs or Skinns unquallified for Exportacōn as aforesaid them to Seize and have condemned as by this Law is before directed And be it further Enacted by the Authority aforesaid by and with the Advice and consent aforesaid that from and after

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Public the Publicacōn hereof as aforesaid all persons not being Inhabitants  
 Record of this Province exporting out of the same any Beef Porke or Bacon  
 Office, shall pay unto their sacred Ma<sup>ty</sup>s their heirs and Successors for the  
 London, use in this Act before mentioned the severall Imposts following (that  
 C. O. 5, is to say) for dried Beef and Bacon twelve pence the one hundred  
 Vol. 731, weight and so proportionably in greater or lesser Quantities and for  
 Maryland, Beef and Porke undryed twelve pence the Barrill, each Barrill to  
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 Acts be exported out of this Province, but in Casques as aforesaid, which  
 said severall Imposicōns shall be collected and gathered by the  
 severall & respective Navall Officers who shall be accountable for  
 the same, and have full Authority to enter any Ship as aforesaid and  
 to make search for Prohibited Goods as aforesaid in such method and  
 manner as in this Act is before mencōned and expressed And if any  
 person whatsoever being non Residents as aforesaid shall putt on  
 board any Shipp or Vessell any Beef Bacon or Porke for which he  
 she or they shall not have a Certificate as aforesaid or that shall Shipp  
 on board any Porke or Beef undryed not being in Casque as afore-  
 said such person or persons so offending shall forfeite and loose all  
 his her or their meat so shipped as aforesaid one halfe to their said  
 sacred Ma<sup>ty</sup>s to the use aforesaid and the other halfe to the Informer  
 to be recovered as aforesaid, And every Master of any Shipp or  
 Vessell that shall wittingly or knowingly take on board his said  
 Shipp or Vessell any Beef Bacon or Porke contrary to the Intent &  
 meaning of this Act being thereof legally convict shall forfeite the  
 Summe of five Thousand pounds of Tobaccocoe one halfe thereof to their  
 Ma<sup>ty</sup>s their heires and Successors to the use aforesaid the other  
 halfe to the Informer or him or them that shall sue for the same to  
 be recovered as aforesaid. And for the better understanding what  
 persons shall be adjudged non Residents It is hereby Enacted by  
 the Authority aforesaid That all persons whatsoever trading to and  
 from this Province shall be adjudged deemed and taken as non  
 Residents not having a seated Plantacōn of Fifty acres of Land at  
 the least whereon he or she with their Family (if any) have resided  
 for and during the space of one whole yeare And that within the  
 tyme and Terme of twelve months before any Benefytt claymed in  
 and by virtue of this Act, or that hath or shall hereafter have an  
 house in Towne as his her or their proper Freehold being Forty foot  
 in length and twenty foot in breadth with two Brick Chimneys to the  
 same wherein he she or they shall have resided during the space of  
 one whole yeare as aforesaid, and that no such person or persons  
 trading to and from this Province having houses in any Town or  
 Porte within the same, whereby he she or they may clayme any  
 Benefitt or Freedome in this Act given to the Inhabitants thereof shall  
 have hold or enjoy such Benefitt and Priviledge as aforesaid any  
 longer than he she or they or his her or their Family shall in such  
 Porte or Towne actually Inhabitt and reside. Provided alwayes

and it is the true intent and meaning of this Act that noe person or persons whatsoever as shall trade directly from England hither be Construed deemed reputed or taken as Foraigners but that all and every such persons so trading from England directly to this Province as aforesaid have free and equal Liberty in dealing with any Indian or other person for any Skins or Furr's whatsoever with the Inhabitants of this Province, or as they actually have, paying such Dutyes and Imposicōns as this Law hath Imposed upon the Inhabitants hereof as aforesaid and no more any thing herein contained to the contrary notwithstanding.

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An Act for the Punishment of Blasphemy Fornication and Adultery. Acts of 1694,

ch. 24  
(Repealed  
by 1700,  
ch. 8)

Be it Enacted by the King & Queens most Excellent Ma<sup>ty</sup>s by and with the Advice and Consent of this present Generall Assembly and the Authority of the same that from & after the Publicacōn hereof if any person or persons whatsoever Inhabiting or being within this Province shall blaspheme God (that is to say) curse him or deny our Saviour Jesus Christ to be the Son of God, or shall deny the Holy Trinity the Father Son and Holy Ghost or the Godhead of any of the said Three Persons or the Unity of the Godhead or shall utter any reproachfull speeches, words or language concerning the Holy Trinity or any the Three Persons thereof, for his her or their first offence shall be bored thro the tongue & fined to their sacred Ma<sup>ty</sup>s their heyres and Success<sup>rs</sup> the Summe of twenty pounds sterling to be levyed upon their goods and Chattels lands and Tenements (if any they have) but if such Offend<sup>r</sup> or Offend<sup>rs</sup> have not goods and Chattels lands and Tenements to the vallue aforesaid then such Offend<sup>r</sup> or Offend<sup>rs</sup> shall suffer six months Imprisonment without Bayle or mainprize and for every second offence whereof every such offend<sup>r</sup> or offend<sup>rs</sup> shal be legally convict he she or they so offending as aforesaid shall be stigmatized in the Forehead with the Letter (B) and be fined Forty pounds sterling to the use of their Ma<sup>ty</sup>s their heires & Success<sup>rs</sup> to be levyed upon their goods and Chattels lands and Tenements aforesaid, and in case he she or they so offending as aforesaid shall not have goods and Chattels lands and Tenements to the vallue aforesaid every such offend<sup>r</sup> or Offend<sup>rs</sup> shall suffer Imprisonment for the space of one whole year without Bayle or Mainprize as aforesaid. And for every third offence whereof every such Offend<sup>r</sup> or Offend<sup>rs</sup> shall be legally convict as aforesaid he she or they so offending shall suffer death with Confiscation of all his her or their goods and Chattels to their Ma<sup>ty</sup>s their heires and Successors And whereas sev<sup>al</sup> persons negligent in the performance of their Christian duty doe to the high displeasure of God and to the Scandall of the true Christian Religion frequently comitt fornicacōn & adultery and in that state of sin openly remaine and continue in contempt of all those good & wholesome Laws heretofore made for the punish-

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ment of such wicked and lewd vices for preventing whereof for the future Be it Enacted by the Authority aforesaid by and with the Advice and Consent aforesaid that every person or persons committing Fornication & being thereof convicted shall for every tyme so offending forfeite and pay the Summe of twenty shillings sterling or foure hundred pounds of Tobaccœ And that every person or persons committing adultery and being thereof legally convict either by sufficient Evidence or confession of either party, such person or persons shall for every tyme so offending forfeite and pay the Summe of Forty shillings sterling or Eight hundred pounds of Tobaccœ to be levied by way of Fyne on his her or their goods & chattels (if any they have) to the use of their Ma<sup>ty</sup>s their heires and Success<sup>rs</sup> and in case such Offend<sup>r</sup> or Offend<sup>rs</sup> therein shall not have goods & chattels sufficient to satisfye and pay such Fyne or Fynes as aforesaid then he she or they so offending shall receive such Corporall Punishment as the Justices of that Court shall thinke fitt not extending to life or member And whereas many Inhabitants of this Province of desolute life and Conversacōs entertaining in their houses women of ill names and Reputacōn being suspected of Incontinency or by other indirect wayes and meanes providing for the mainteynance of such women whose Company they so frequent Be it therefore also Enacted by the authority aforesaid that every person and persons who shall so harbour entertaine and provide for the mainteynance of such woman or women or frequent her or their Company, or the company of any other lewd women after publick admonition to avoide the same given by the Minister and Churchwarden with the Consent of the Vestry of the Parish or Parishes where such person or persons shall dwell, and in case there be noe Minister then by the Churchwardens of the same with the consent of the Vestry aforesaid shall forfeite & pay for every tyme it shall be proved that he she or they shall Cohabite together or frequent the Company of each other after such Admonition as aforesaid, as if he she or they had really been convicted of Fornicacōn and Adultery and undergoe such paines and penalties as against persons legally convicted of the said crimes by this Law is prescribed any other Law or Custom to the Contrary notwithstanding.

Acts of 1694,  
ch. 25  
(Repealed  
by 1700,  
ch. 8)

#### An Act Concerning those Servants that have Bastards.

Whereas divers Women Servants within this Province not having Husbands living with them have been gotten with Child during the tyme of their Servitude to the great dishonour of God & apparent damage of Masters & Owners of such Servants for Remidy whereof Be it Enacted by the King & Queens most Excellent Ma<sup>ty</sup>s by and with the advice and consent of this present Gen<sup>l</sup> Assembly and the Authority of the same that every such Mother of a Bastard Child not able sufficiently to proove the party so charged to be the begetter of such Child, in every such case the mother of such Childe shall only be

lyable to satisfye the damage so susteyned by servitude or otherwise as the Court before whome such matter is brought shall think convenient. Provided that where the Mother of any such Childe as aforesaid shall be able to prove her charge by sufficient Testimony of Witnesses Confession of the Party charged, or pregnant Circumstances agreeing with her declaracōn in her Extremity of her Pains or Throes of Travell and her Oath taken by some Magistrate before the tyme of her delivery of every such Bastard Child or after her delivery then the Party charged if a Servant to satisfye halfe the damage, if a Freeman then the whole damage by Servitude or otherwise as the Court before whom such matter is brought as aforesaid shall think fitt. And if any such Mother as aforesaid be able to prove by such testimony or Confession of the Party charged that he being a single person and a Freeman did before the begetting of such Childe promise her marriage that then he shall be at his choice either to performe his promise to her, or recompence her Abuse according as the Court before whom such matter is brought shall adjudge. And be it further Enacted by the Authority aforesaid that a former Act of this Province Entituled an Act concerning those Servants that have Bastards made att a General Assembly begunn & held att the city of St. Mary's the Tenth day of May One Thousand six hundred and Nynety two is hereby repealed and voyde.

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An Act against Strikeing of Fish in Dorchester & Somersett Counties.

Acts of 1694,  
ch. 26  
(Repealed  
by 1696,  
ch. 15)

Whereas the Strikeing of Fish hath been and still is a Grievance of the Inhabitants of Somersett & Dorchester Countyes by reason that severall persons that inhabite in Virginia and other distant places doe yearly come up within the precincts of the said Countyes and there doe strike or cause to be struck great Quantities of Fish and by wounding hurting and maiming of Fish cause Sharks and other voracious Fish to haunt the Coasts to the Spoyling of the Rivers and destruccōn of the Fry of Fish for prevention whereof Wee pray it may be Enacted and be it Enacted by the King & Queens most Excellent Ma<sup>ties</sup> by and with the Advice and Consent of this present Gen<sup>all</sup> Assembly and the Authority of the same That from and after the Publicacōn of this Act noe person or persons whatsoever either Inhabitant of this Province or Virginia shall strike or cause to be struck either by himself or any hired Indian any Fish within any of the Rivers Creeks or Harboures or about any of the Islands belonging to the said Countyes of Somersett or Dorchester under the Penalty of Five Thousand pounds of Tobaccoe the one halfe to our Sovereaigne Lord and Lady the King & Queen for support of this Government and the other halfe to the party that shall sue for the same to be recovered in any Court of Record in this Province wherein no Essoyne Proteccōn or Wager of Law to be allowed.



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An Act for Easement of the Inhabitants of this Province in Testamentary Affairs.

Be it Enacted by the King & Queens most Excell<sup>t</sup> Ma<sup>ty</sup>s by and with the advice & consent of this present Gen<sup>l</sup> Assembly and the Authority of the same that the severall & respective County [Courts] within this Province shall & are hereby sufficiently authorised and impowred to Pass Audite & allow all such Accompts as shall come before them relating to dead mens Estates wherein they have granted Letters of Administracōns or Letters Testamentary not exceeding Fifty pounds sterling. And to Transmitt the same to the Comiss<sup>ry</sup> Generall For which passing of such Accounts the said Deputy Commiss<sup>ry</sup> is to be allowed for Fee the Sume of Fifty pounds of Tobaccōe & noe more. And if such Deputy Commissary, as aforesaid, shall exact demand or receive of any person whatsoever more then what is by this or any other Law for executing such his office allowed him; he shall be lyable to such paines and penalties as are included in a certain Act for Lymitting County Clerks Fees within this Province. But in case it shall soe happen that any person or persons whatsoever having any Interest or Clayme in such Estates shall make any Objeccōns to the Legallity or Justness of any Article or Articles conteyned in the said Accounts Then the said Deputy Commissaryes are forthwith to marke such Articles and Transmitt the Accounts with all the Papers thereunto relating unto the Commissary Generall before whom all partyes concerned are to appeare and defend their Interest.

Acts of 1694, ch. 28 (Repealed by 1700 ch. 8)

#### An Act for Releife of Debtors.

Whereas severall honest well disposed persons within this Province being indebted (to divers persons Merchants & others) & well disposed to pay the same and taking care thereof by Providing the Tobacco. But often tymes it so happens that because imediate Opportunity or Conveniency doth not offer to the Creditor to dispose thereof they doe frequently refuse neglect and delay to receive the said Tobacco in discharge of the debts whereby the Debtor remains in debt and the Tobacco by him procured to pay the said Debt remains in his hands subject to all Casualties on the Debtors account and which he dares not make use of for fear of his Creditor demanding and Suing after for the debt For Remedy whereof for the future Be it Enacted by the King & Queens most Excellent Ma<sup>ty</sup>s by and with the Advice & Consent of this present Gen<sup>l</sup> Assembly and the Authority of the same That any person or persons whatsoever inhabiting within this Province and now being or that hereafter shall be Indebted to any Merchants or others either Resident in or trading to this Province, that hath his Tobaccōe ready according to the nature of his debt he owes and is willing to pay the same, and hath offered it to his Creditor Factor or Attorney and by him or them refused

neglected or delayed to be received as aforesaid It shall & may be lawfull to such Debtor or Debtors att any tyme between the twentyeth day of November and the twentieth day of January in every yeare during the continuance of this Act, and att no other tymes, to repaire to the next Justice of the Peace, and there before him upon making Oath of such Tobaccoe being ready tendered and neglected refused or delayed to be received as aforesaid The said Justice shall and is hereby enjoyned to appoint two sufficient honest persons of the Neighbourhood where such Debtor dwells to view search and look att such Tobacco so ready to be paid in discharge of the Debt and tendered as aforesaid which said Two persons so appointed shall take their Oaths to be Administred by the Justices aforesaid well & truly to try and examine into the matter aforesaid and make reporte thereof to the Justice aforesaid. And if upon receiving the same it be found that the Tobacco is cleane sound and merchantable and fitt to be paid in discharge of the debt aforesaid they shall & are hereby Impowred & authorized to Marke the said Tobacco in hogsheds on the head and Bulge for such Creditor aforesaid and weigh the same, and to signifye the neat weight thereof unto the Justice aforesaid which Tobaccoe so tendered neglected or refused, viewed marked and weighed as aforesaid shall forever after be esteemed and taken as the proper Tobaccoe & goods of the Creditors and in absolute discharge of the debt aforesaid or of soe much thereof as the same Tobaccoe neatly weighs. Provided that each hogshhead weighs four hundred neat and above And because many Contracts Bills and Bonds may be of different natures and circumstances, It is Declared and Enacted that upon every such viewing as aforesaid the Creditor his Factor or his Attorney shall have notice thereof by the Debtor, and that if he doe not come to the place and make knowne by shewing the Contract or Obligacōn the Circumstances or Natures of the Contract or Obligacōn If the Tobaccoe viewed be cleane from Trach sound & Merchantable it shall be marked and weighed in discharge of such debt, be the same by what other Circumstances whatsoever And the persons in whose houses the said Tobacco lyes or shall lye shall look after and preserve the same for one whole yeare, as they are obliged to doe to Tobacco actually received by any Creditor Merchant or others any Law Statute or Usage to the contrary in any wise notwithstanding.

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An Act for Settling Assemblies & Provinciaall Courts and Erecting a Court house att Annarrundell Towne in Annarrundell County.

Acts of 1694,  
ch. 29  
(Repealed  
by 1700,  
ch. 8)

Whereas it has been Represented to the Burgesses of this present Generall Assembly as a great and Extraordinary Grievance that persons Inhabiting the uppermost parts of this Province should be obliged to attend Assemblies and Provinciaall Courts att the City of St. Maryes being the Lowermost part of the western side thereof, by which meanes it doth often happen that not only many persons are

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deterred from seeking of Redress by a due Course of Law for the Recovery of their just Rights in such Cases wherein the severall & Respective County Courts have not Jurisdiccōn to hold Pleas, but also many persons criminalls Escape without notice taken of them or being brought to condigne Punishment the party or parties Evidences against such Offend<sup>rs</sup>, rather choosing to stifle the Fact and hoodwinke Justice, which otherwise they would have willingly detected then to be put to so great an Inconveniency in attending Provinciaall Courts in order to give in their Evidence at the place aforesaid. And for that it is taken into consideracōn as a thing absolutely necessary that an Act should be made ascertaining in what part of this Province the Cheif Seat of Judicature therein for the future should be and remaine: And being found that the appointing thereof in or neare to the Centre of this Province will most conduce to the generall Satisfaccōn and benefitt of the People

It is therefore humbly prayed That it may be Enacted, And be it Enacted by the King & Queens most Excellent Ma<sup>ties</sup> by and with the Advice & Consent of this present Generall Assembly and the authority of the same that from and after the End of the next Provinciaall Court to be held at the City of St. Maryes the sixth day of November next ensuing, That parte and place known by the name of Anne-Arrundell Towne lying & being in Anne-Arrundell County upon the River Seaverne be the Cheif place and Seat of Justice within this Province for holding of Assemblies and Provinciaall Courts, and that all writts Pleas and other process issuing out or returnable to the Provinciaall Court as aforesaid or to the Court of Chancery shall from & after the End of the next Provinciaall Court to be held at the City of St. Maryes as aforesaid be made returnable to Anne-Arrundell Towne aforesaid and beare Test from the place aforesaid. And it is hereby Enacted by the Authority aforesaid by and with the Advice & Consent aforesaid that the Commiss<sup>rs</sup> nominated and appointed for the Surveying and laying out of Towns by an Act made this present Generall Assembly for the appointing of Towns doe survey and lay out in the most comodious and convenient parte and place of the said Towne six Acres of Land intire for the Erecting a Court House and other buildings as shall be thought necessary and convenient for the better accomodating and entertaining of those persons as shall have occasion to have recourse to the Assemblies and Provinciaall Courts aforesaid on or before the Twenty fifth day of December next on penalty and Forfeiture of Two Thousand pounds of Tobacco each Comiss<sup>r</sup> as aforesaid, which Court house shall be Forty six foot in length, from Inside to Inside, and Twenty two foot wide from Inside to Inside, Brickworke two story high, the lower story to be Eleaven foot in Pitch, and the upper story to be Eight foot in Pitch and plastered on the Inside with a Porch & Porch Chamber fourteene foot long & twelve foot wide of the same worke, the Roofe to be



girt and hipt, to be covered with Pine or Cypress Planke and Shingled with Cypress Shingles with convenient appartments in the upper Story for one Office, and three small Roomes for Juryes, the Porch Chamber to be fitted for one other Office, at one End of the said house a Place of Judicature, in such forme as at the Stadt house now at St. Maryes is, at the other End a Chimney with a Fire place therein both belowe and above, and a Staire Case by the Syde of the said Chimney, the Staires, windowes & doors uniforme or as convenient as may be, the lower floor to be laid with brick, and the upper Floors with Plancke: And to the End there may be no lett or Impediment in the carrying on of soe necessary a Worke either for Want of Workemen Labourers Provisions or other necessaryes. Be it Enacted by the Authority aforesaid by and with the advice and consent aforesaid that Colonell Charles Hutchins Major Edward Dorsey and Major Henry Ridgely be and are hereby appointed Comiss<sup>rs</sup> Trustees and Overseers to treat bargain and agree with workemen for the building thereof in such method and manner as they shall thinke most easy and advantageous to the Inhabitants of this Province in respect of the Publick Charge and the same worke to see carryed on and well performed, and for the carrying on whereof the said Commiss<sup>rs</sup> shall have deposited into their hands by or before the first day of Aprill next by the Treasurers of this Province nominated and appointed for receiving the Impost of four pence p Gallon upon all Liquors imported the Summe of Fifty pounds sterling and Fifty pounds sterling more to be paid to the said Comiss<sup>rs</sup> Trustees or Overseers on the first day of October which shall be in the year of our Lord One Thousand Six hundred Ninety and Five as also the Summe of Fifty thousand pounds of Tobacco to be leyed on the Publick in the year aforesaid by the Assembly (if any) or by the Govern<sup>r</sup> and Councill or by such other persons as this present Generall Assembly shall thinke fitt to levy and assess the same, And if it shall happen that the said severall Summes of money and Tobaccoe shall not be sufficient to defray the Charge of the said Worke, the Remainder shall be paid at the finishing thereof, for which all persons Interested or concerned therein shall have the Publick faith.

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An Act for speedy and Easy Justice for Small debts.

Forasmuch as this present Generall Assembly hath taken into their serious Consideracōn the great damage and Inconveniency accruing to the good People of this Province for the Recovery of small debts by a due Course of Law in the severall & respective County Courts thereof It often happening that such Creditors rather Choose to Loose their just Rights & Creditts then be putt to the Trouble to sue for the same, and for that it doth also appeare to be no less a grievance and burthen to the debtor of such Creditors (persons for the most part indigent and poore) who being sued frequently pay three tymes more Cost then the Originall debt doth amount unto.

Acts of 1694,  
ch. 30  
(Continued  
by 1695,  
ch. 16 and  
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For the Redress of both parties for the future the imediate and speedy Recovery of just Rights and prevention of the like grievances for the tyme to come It is therefore humbly prayed that it may be Enacted And be it Enacted by the King & Queens most Excellent Ma<sup>ty</sup>s by and with the Advice and Consent of this present Generall Assembly and the Authority of the same That noe County Court within this Province shall hold Plea or have Jurisdictiō for the hearing trying & determining of any Accōn or Accōns before them brought either upon Bond Bill Assumpcōn reckoning or Account wherein the demand made doth not exceed the Sumē of two hundred pounds of Tobaccōe or twelve shillings sterling (except such accōn or accōns that are already comenced or that shall be comenced before the Publicacōn hereof within the severall and respective County Courts aforesaid) But that in all such cases wherein the demand made does not exceede the Sumē of two hundred pounds of Tobacco or twelve shillings aforesaid It shall & may be lawfull for any one Justice of the Peace within the severall and respective Countyes wherein the persons debtors doth reside to trye heare & determine the matter of Controversie between the party & parties debtor and Creditor as aforesaid and upon applicacōn to him made by any Cred<sup>r</sup> or Cred<sup>rs</sup> of such debtor or debtors as aforesaid and at the tyme of the Applicacōn aforesaid such Justice is also Authorized and Impowred and also willed and required to Issue out his Warrant, and to depute such person for to execute the same as he shall thinke fitt & to Comānd and bring before him the person of such debtor or debtors and alsoe sumons to issue for such witness or witnesses as either Plaintiff or Defendant shall have occasion to make use of with power to Administer Oaths to either Plaintiff or Defendant or to any of their or either evidences as occasion shall require for the better clearing of the matter in question before him and upon full hearing of the allegacōns of either party or parties with what may or can upon Oath be given in Evidence by any of their or either of their Evidences to proceed to Judgment as the nature of the case shall require whose determinacōn shall be finall: All which such Justice of the Peace before whom such matter of Controversie shall be brought shall doe gratis. And if such party or parties against whome Judgment shall be given shall refuse or delay to pay such debt as shall be awarded against him them or any of them as aforesaid Then it shall and may alsoe be lawfull for such Justice of the Peace to award Execution against the said party or parties for the debt aforesaid by fieri facias directed to the Sheriffe of the said County which said Sheriffe upon receipte of such Precept from such Justice aforesaid shall imediatey thereupon levy the same upon his or their goods and Chattles as the matter of the writt shall require All which such Sheriff shall alsoe doe gratis any law usage or Custome to the Contrary notwithstanding. This Act to endure for three yeares or to the End of the next Session of Assembly which shall first happen.

[A Supplicatory Act to their Sacred Majesties for erecting of  
free Schools]

To their most Sacred Ma<sup>ty</sup>s the King and Queen

Dread Sovereigns

From the Sincerity of our humble and Loyall hearts We offer to your sacred persons our most dutifull & sincere thanks for your Royall Care and Protec<sup>c</sup>ōn to us, for your Ma<sup>ty</sup>s Princely Zeale and pious care of our Mother the Church of England and Extending your Royall Benedic<sup>c</sup>ōn to our Neighbouring Collony your Ma<sup>ty</sup>s Subjects and Territory of Virginia in your Gracious Grant and Charter for the propagation of the Colledge or place of Universall Study in that your Ma<sup>ty</sup>s said Collony: In humble contemplation whereof and being excited by his present Excellency Francis Nicholson Esq<sup>r</sup> your Ma<sup>ty</sup>s Govern<sup>r</sup> of this your Province his Zeale for your Ma<sup>ty</sup>s service pious Endeavors and generous offers for the propagating of Christianity and good Learning herein are become humble Suitors to your most sacred Ma<sup>ty</sup>s to extend your Royall Grace and favour to us your Ma<sup>ty</sup>s Subjects of this Province Represented in this your Ma<sup>ty</sup>s Gen<sup>r</sup>all Assembly thereof That it may be Enacted And may it be Enacted by your sacred Ma<sup>ty</sup>s by and with the advice Prayer and Consent of this present Generall Assembly and the Authority of the same That for the propagation of the Gospell and the Education of the youth of this Province in good Letters and Manners that a certaine place or places for a Free Schoole or Schoole or place of study of Lattin Greek writeing and the like consisting of one Master one Usher and one writing master or Scribe to a Schoole and one hundred Schollers more or less according to the ability of the said Free schoole may be made Erected founded propagated and Established by and under the Patronage of the Right Reverend Father in God [blank] and managed

by certaine Trustees nominated and Elected by this present Generall Assembly That is to say by your Ma<sup>ty</sup>s said Governor Francis Nicholson Esq<sup>r</sup> the Hon<sup>ble</sup> Sr Thomas Lawrence Barr<sup>t</sup> Colonell George Robotham, Colonell Charles Hutchins, Colonell John Addison, of your Ma<sup>ty</sup>s Hon<sup>ble</sup> Councill of this Province The Reverend Divines M<sup>r</sup> Peregrine Coney M<sup>r</sup> John Hewett togeather with Robert Smyth Kenelme Cheseldine Henry Coursey Edward Dorcy Thomas Enalls Thomas Taskar Francis Jenkins William Dent Thomas Smith Edward Boothby John Thompson and John Bigger gentlemen or the major parte or Survivors of them upon and in a certaine place of this Province called Anne Arrundell Towne upon Seaverne River or att such other place and places as by the Gen<sup>r</sup>all Assembly of this Province shall be thought convenient and fitting to be supported & mainteyned in all tyme coming, and that your Ma<sup>ty</sup>s will for your Heires and Success<sup>rs</sup> graunt and give Leave to the said Francis Nicholson Esq<sup>r</sup> and the other Trustees abovesaid or the major part or

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longest livers of them that they may be Enabled to take hold and enjoy and that they may be apt and capable in Law of taking holding and enjoying all Mannors Lands Tenements Rents Services Rectories Porcōns Annuities Pensions with all other Inheritances Franchises and possessions whatsoever Spirituall or Temporall to the Value of Fifteene hundred pounds sterling a yeare and all other goods Chattells monyes & personall Estate whatsoever of the gift of any person whatsoever, that is willing to bestow them for the said use, or any other Guifts Grants Assignments Legacies or Appointments of the same, or any of them, or of any other goods whatsoever with this express Intencōn and trust put in them that the said Francis Nicholson and other the Trustees aforesaid or the major parte or longest livers of them shall take and hold the premisses and shall dispose of the same and of the Rents Revenues and profitts thereof or of any of them, onely for the defraying the Charges that shall be laid out in Erecting and fitting the Edifices of the said intended Free Schoole or Schools as they or the major part of them shall thinke most Expedient untill the said Free schoole or Schools shall be actually erected founded and Established and upon the Trust & Intencōn that as soon as the Free Schoole or Schools shall be actually Erected founded & established the said Francis Nicholson and other the Trustees above named shall from tyme to tyme and at all tymes hereafter Apply all such Lands Tenements Rents Annuities Goods Chattles Profitts Incomes or Advantages whatsoever reall or personall or as much as shall not be laid out and bestowed upon building the said Freeschoole or Schooles as aforesaid as hereafter shall be expressed, and that when the said Free Schoole or Schooles shall be so erected and Established the said Francis Nicholson and other Trustees above named or the major parte or the longest liver of them shall apply and appropriate to the use benefitt and maintainance out of the Revenues or Incomes to the said Trustees for the use aforesaid the Summe of One hundred & Twenty pounds sterling p Annum for the Sallary support and mainteynance of the Said first mentioned Freeschoole the Masters Usher and Scribe, and the necessary repaires and improvements of the same as to the said Francis Nicholson and Trustees aforesaid the major parte or Survivors of them shall seem expedient from tyme to tyme to ordayne in the premisses and that for the uses and purposes aforesaid They the said Francis Nicholson and the Trustees aforesaid the Survivor or Major parte of them shall & may be Incorporated into a body Politick by the name of the Rectors Governors Trustees and Visitors of the said Freeschooles of Maryland with full power to plead and be impleaded, to sue and be sued, to defend and be defended, to answer and to be answered, in all and every Cause Complaint and Accōn reall personall and mixt of whatsoever kind and nature it shall be in whatsoever Courts and places of Judicature belonging to your Ma<sup>ty</sup>s your heires or Successors, or by from or under your Royall Grant or Authority And



that your Ma<sup>ty</sup>s will be graciously pleased to give and grant your speciall Lycence as farr as your Ma<sup>ty</sup>s see expedient to the said Francis Nicholson Esq<sup>r</sup> and other Trustees aforesaid that they or any of them, or that any person and persons whatsoever after the said Freeschoole and Schooles is and are so erected founded and Established (or before) may have power to give and grant assigne and bequeath all or any Mannors Lands Tenements Rents Services Porcōns Annuities Pensions Inheritances Franchises and Possessions whatsoever spirituall or temporall to the value of Fifteene hundred pounds Sterling p Annum besides all burthens Reprizalls Reparacōns to them the said Francis Nicholson and others the Governors Trustees and Visitors of the said Freeschooles of Maryland and the Major parte or Survivors of them incorporate for the uses aforesaid to them and their Successors forever. And further that the said Francis Nicholson and other the Governors Trustees and Visitors aforesaid the longest livers and survivors of them by the true sole and undoubted Visitors and Trustees and Governors of the said Freeschoole or Schooles in perpetuall Succession forever, to be continued in the way and manner hereafter specified with full and absolute power liberty & authority for the making and ordaining such Laws Orders and Rules for the good Government of the said Freeschoole or Schooles as to them the said Trustees Governors and Visitors aforesaid and their Successors shall from tyme to tyme according to their various occasōns and Circumstances seem most fitt & expedient. All which shall be observed by the Master Usher Tutors and Schollers of the said Schooles under the penalties therein conteyned. Provided notwithstanding that the said Rules Laws and Orders be noe wayes contrary to your Ma<sup>ty</sup>s Prerogative Royall nor to the Laws & Statutes of your Ma<sup>ty</sup>s Kingdome of England or Province of Maryland aforesaid or to the Cannons and Constitucōns of the Church of England by Law Established And that they the said Governors and Visitors and Trustees aforesaid and their Successors shall forever be Eighteen men and not exceeding the Number of Twenty in the whole to be Elected & constituted in the way and manner hereafter specified, of which number they shall nominate and elect one discreet and fitt person that shall be called Rector of the said Freeschoole or Schooles, and that from tyme to tyme and at all tymes coming the said Rector shall exercise the said Office during one yeare (death and legall disability excepted) and after till some others of the said Visitors and Governors of the said Schoole and Schooles shall be duely elected preferred and sworne to the said Office and that from tyme to tyme and att all tymes coming after the said Office. And to perpetuate the Succession of the said Rectors the yeare, the Visitors or Governors of the Said Schoole or Schooles or the greater part of them or of their Successors should have power to Elect & nominate another discreet and fitt person from amongst themselves to be Rector of the said Freeschoole or Schooles, and that

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Public he who is so elected preferred and nominated into the place of Rector  
 Record as aforesaid shall have power to have exercise & enjoye the Said  
 Office, Office of Rector for one whole yeare (except before excepted) then  
 London. C. O. 5. next ensuing and thereafter untill some other Rector of the said  
 Vol. 731, Schoole or Schooles shall be duly elected preferred to & sworne in  
 Maryland. the Said Office. And to perpetuate the Succession of the said Rectors  
 From 1694-1702. Governors and Visitors that as often as one or more of the Gov-  
 Acts ernors or Visitors of the said Schoole or Schooles shall dye or remove  
 himself and Family out of this Province into any other Countrey for  
 good & all, that then & so often the Rector for the tyme being and  
 the other Visitors and Governors of the said Freeschoole & Schooles  
 then surviving and remaining within the Province or the Major parte  
 of them shall & may have Leave to elect nominate and choose one or  
 more of the Principall & better sort of the Inhabitants of the said  
 Province into the place or places of the said Governors and Visitors  
 soe dead or removed and so to fill up the number of Visitors and  
 Governors for the said Schoole and Schooles And that he and they  
 so elected & chosen shall take his or their Corporall Oath before the  
 Rector and other Visitors & Governors as aforesaid or the Major  
 parte of them well & faithfully to execute the said Office which Oath  
 the Rector and two or more of the said Visitors shall have power  
 to administer And that after the taking of the Said Oath he or they  
 shall be of the number of the said Visitors and Governors of the said  
 Schoole or Schooles. And further that the said Rector for the tyme  
 being by and with the advice and consent of three or more of the  
 said Governors and Visitors shall & may from tyme to tyme and as  
 often as need shall require and they see convenient call and Convocate  
 the said Governors and Visitors together to doe consult and Consent  
 to such things as for the propagacōn good and benefitt of the said  
 Freeschoole or Schooles shall be ordeyned and established, and that  
 the said Governors and Visitors shall and may hold such their Court  
 or Convocation in such Freeschoole or such part thereof as to them  
 shall seem convenient, and shall & may from tyme to tyme punish  
 any disorders breaches Misdemeanours or Offences of any Master  
 Usher or Scribe or Schollers of any such Free Schoole or Schooles  
 against any the Orders laws or decrees of the said Governors and  
 Visitors aforesaid, And if they find cause to alter displace and turne  
 out any Master Usher or Scribe of any such Schoole or Schooles and  
 put others in their steads and places as to the said Rectors Governors  
 & Visitors of the said Schoole or Schooles or the major part of them  
 shall seem convenient and fitting And also that the said Rectors  
 Governors and Visitors of the said free schoole or Schooles and their  
 Successors shall have one Common Seale which they may make use  
 of in whatsoever cause and business belonging to them and their  
 Successors in relateing to their said Offices of Rectors Governors  
 and Visitors may have leave to breake change & renew their said  
 Seale from tyme to tyme at their pleasure as they shall see most



expedient. And further that it may please your Ma<sup>ty</sup>s to grant to the said Rectors Governors and Visitors aforesaid of the said Free Schoole and Schooles aforesaid That as soon as they shall be Enabled by any Guifts Grants Pensions Donations or Incomes of any Mannors lands Tenements or other Estate whatsoever reall or personall exceeding the Summe of one hundred and Twenty pounds p yeare allotted and allowed for Supporte and Reparacōns of the first Free-schoole att Seaverne as aforesaid That then as they shall be Enabled as aforesaid The said Rector Governors and Visitors aforesaid shall proceed to erect found and build one other Freeschoole at the Towne of Oxford on the Easterne Shore of this Province in Talbott County or in such other place of the same County as to the said Rectors Governors and Visitors aforesaid shall seem most expedient And after the same shall be built founded and Established to appropriate and apply to the second Free Schoole out of the Treasure accruing to them for the benefitt & advantage of Freeschools aforesaid over and above the one hundred & Twenty pounds p yeare allowed as aforesaid to the first Free Schoole the like Summe of one hundred & Twenty pounds p year for the benefitt Advantage and Support of such second Freeschoole and shall & may place a Master Usher and Scribe therein as in the other first Freeschoole as aforesaid And shall in all respects be under the same Benefitts Priviledges Injunctions & Restrictiōns as the said first Freeschoole and also after the said second Freeschoole is built erected founded and finished the said Rector Governors & Visitors shall as fast as they shall be Enabled as aforesaid proceed to the erecting other & more Free Schooles in this Province till they have attained to the number of Ten Free Schooles in this Province, that is to say in every County of this Province at present One Free Schoole And shall and may be impowred to Establish constitute enjoyne & restrayne to and under the same Benefitts advantages Injuncōns & restrictiōns as the other Free Schoole and Schooles aforesaid and appropriate and apply such and so much of the said Revenue not before disposed or ordained to each Free Schoole as to them shall seem most convenient & expedient not exceeding one hundred and Twenty pounds p Annum as aforesaid.

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A Supplimentary Act to the Act for Encourageing Such persons as Shall undertake to build Watermills.

Acts of 1694,  
ch. 32  
(Repealed  
by 1700,  
ch. 8)

Whereas by an Act of Assembly formerly made Intituled an Act for encourageing of such persons as should undertake to build Watermills amongst other things therein conteyned It was Enacted That any person or persons desiring to set up a Watermill upon any Land next adjoyning to any Runn of water within this Province not being the proper possession or Freehold of such person or persons as aforesaid nor leased to them to the Intent aforesaid should Sue out their Ma<sup>ty</sup>s writt out of the Court of Chancery within the Province

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aforesaid in such manner and forme as by the said Law is mencōned and expressed upon Returne of which writt in case the person or persons found to be the true Owners and possessors of the said land should refuse to build a mill thereon and give Security for so doing as the Law in that Case directs, It should be lawfull for their said Ma<sup>ty</sup>s their Heires and Successors or for their Cheif Governor here for the tyme being to make a Grant of such and so many Acres of Land as by the said Law is Lymitted and allowed to such person or persons as would undertake to build the same and give Security for the performance thereof as the Law in that case requires for any tyme or terme not exceeding Eighty yeares. And forasmuch as no Provision in the said Law hath been made whereby to oblige such person or persons to keep such Watermills by them sett up built and finished as aforesaid in repaire during the tyme and Terme of their Grant as aforesaid by means whereof some persons having once built sett up and finished a Watermill as aforesaid and having obteyned a Grant of the said Land whereon such Watermill did stand for the terme and tyme of Fourscore yeares as aforesaid have after such mill hath been casually broken or otherwise gone to decay wholly neglected and refused to repair the same: Yett under pretence of having once built a Mill as aforesaid Have and doe tend and occupy the said Land, raising of Stocks and felling of Tymber thereon to the great prejudice and damage of the reall Owner or Owners of such Land as aforesaid and prevencōn of other well disposed persons who would undertake the building of Watermills as aforesaid.

It is therefore humbly prayed that it may be Enacted and be it Enacted by the King & Queens most Excellent Ma<sup>ty</sup>s by and with the advice and consent of this present Generall Assembly and the Authority of the same, That from and after the Publicacōn hereof no person or persons whatsoever having or that shall hereafter have obteyned any Grant for any Lands whereof such person or persons are not the reall Owners and possessors thereof and whereon he she or they have already built or shall hereafter build any Watermill as the Law aforesaid hath directed shall have any right Title or clayme to any land granted to them for any tyme or terme whatsoever after such mill by him or them already built as aforesaid or that shall hereafter be built shall be casually broke or gone to decay as aforesaid other then two years for the new erecting building finishing or repairing of such Mill as aforesaid, but that in all and every case where any person or persons who have already built or that shall hereafter build any Watermills which are or that shall hereafter be broke or gone to decay as aforesaid and shall not within two years after the Publicacōn hereof or within two yeares after such Mill shall become broke or gone to decay as aforesaid cause the same to be new builded repaired or finished as aforesaid It shall & may be lawfull for the reall Owner or Owners of such Land to such person or persons so granted as aforesaid to reenter upon the same, and in case such

person or persons shall deny or refuse to give the Owner or Owners of such Lands as aforesaid peaceable and quiett possession thereof Such Owner and Owners shall and may recover his right to the same by Ejectment or otherwise as the Law doth direct any thing in the former Act conteyned to the contrary notwithstanding And for prevention of the abuses frequently comitted by persons keeping Watermills in taking of excessive Toll Be it therefore Enacted by the Authority aforesaid by and with the Advice and consent aforesaid that from and after the Publicacōn hereof as aforesaid no Master Owner Miller or other person properly owning or otherwise belonging unto any Mill within this Province shall aske demand or receive for grinding any Quantity or Quantities of Indian Corne or Wheate whatsoever above the Sixth parte of every bushell of Indian Corne and the Eighth parte of every bushell of Wheate by him or them soe ground as aforesaid upon penalty and forfeiture of one Thousand pounds of Tobaccoe for every default to be disposed of by the Vestry of that Parish wherein such Offend<sup>r</sup> or Offend<sup>rs</sup> shall reside as they shall thinke fitt, to be recovered in the respective County Courts by Accōn of Debt Bill Plaint or Informacōn wherein no Essoyne Protecōn or Wager of Law shall be allowed any other Act usage or Custome to the contrary notwithstanding.

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An Act for payment and Assessing the Publick Charges of this Province. Acts of 1694,  
ch. 32

Whereas there hath been one Million sixty two Thousand Nine hundred twenty Eight pounds of Tobacco expended laid out and disbursed by severall the Inhabitants of this Province in discharge of the Publick debts of this Province, To the intent therefore that the same may be satisfied and paid to those persons to whom the same is due

Be it Enacted by the King and Queens most Excellent Ma<sup>ty</sup>s by and with the Advice and Consent of this present Generall Assembly and the Authority of the same That the said Summe of One Million Sixty two Thousand nine hundred twenty Eight pounds of Tobacco be paid in manner and forme as is hereafter expressed by an Equall Assessments upon the persons and Estates of the Inhabitants of this Province and to whom the same is due as aforesaid Any Law Statute Usage or Custome to the Contrary thereof notwithstanding That is to say to James Cullen four thousand six hundred and seaventy Eight pounds of Tobacco, To M<sup>r</sup> Miles Burrowes two Thousand Eight hundred seaventy five, to M<sup>r</sup> Jn<sup>o</sup> Evans three Thousand Eighty nine, to M<sup>r</sup> W<sup>m</sup> Guider five thousand seven hundred forty Eight, To James Browne nine Thousand two hundred Eighty nine, to Jn<sup>o</sup> Savage five hundred, to M<sup>r</sup> Garrett Vanswaringen Ten thousand five hundred forty one, to M<sup>r</sup> Ja: Brown more three hundred and thirty, to M<sup>r</sup> Vanswarin more five hundred, to M<sup>r</sup> Burrowes

Public more One hundred & Twenty, To M<sup>r</sup> Sam<sup>l</sup> Watkins four hundred,  
 Record to ditto Watkins more two hundred, to Captain Richard Brightwell  
 Office, two Thousand three hundred and Eighteene, to W<sup>m</sup> Roswell three  
 London. Thousand two hundred and fifty two, to Colonell Humphry Warren  
 C. O. 5, fourteen hundred, to Cap<sup>t</sup> Jn<sup>o</sup> Windar three Thousand nine hundred  
 Vol. 731, Seaventy five, to Wm. Nuthead five hundred and Tenn, to Jn<sup>o</sup> Evans  
 Maryland. From  
 1694-1702. Acts more two thousand three hundred ninety one, to James Cullen more  
 nine hundred twenty seven, to ditto for Sam<sup>l</sup> Worthington an  
 hundred and Ten, to Miles Burrowes more Eight hundred Seaventy  
 eight, to James Brown more three Thousand, to Phillip Mason two  
 hundred sixty four, to James Brown more five hundred and Fifty,  
 to William Dent One Thousand, to James Cullen more three Thou-  
 sand three hundred thirty seven, to Arthur Kidree Seaventy five, to  
 William Nuthead more Eight hundred seaventy two, to Richard  
 Brightwell more Eight hundred Seaventy two, to W<sup>m</sup> Rylands or  
 to his Executrix Amie Rylands twelve hundred, to James Brown  
 more five Thousand Nine hundred and Ninety, to W<sup>m</sup> Guither more  
 seven Thousand two hundred seaventy two, to M<sup>r</sup> Vanswaringen  
 more Eight thousand four hundred forty five, to Thomas Tench Esq<sup>r</sup>  
 twelve thousand nine hundred and sixty, to Colonell Nicholas Green-  
 berry five Thousand seven hundred twenty six, to Tho<sup>s</sup> Brooks Esq<sup>r</sup>  
 four Thousand two hundred, to Coll: Jn<sup>o</sup> Addison fourteen Thou-  
 sand one hundred, to Christ<sup>r</sup> Beale three hundred and fifty, to Edw<sup>d</sup>  
 Jones three hundred and fifty, to Isaac Butterworth three hundred  
 and fifty, to Dormant Walker three hundred and fifty, to George  
 Athy three hundred and Fifty, to Colonel David Browne six thousand  
 four hundred and eighty, to Colonel Charles Hutchins six Thousand  
 four hundred and Eighty, to George Plater Esq<sup>r</sup> five Thousand two  
 hundred, to M<sup>r</sup> Charles Tillden one Thousand, to Thomas Price one  
 hundred, to M<sup>r</sup> Jn<sup>o</sup> Watson two Thousand five hundred and Twenty,  
 to Robert Taylor four hundred, to Thomas Webb seven hundred, to  
 ditto five hundred, to Jn<sup>o</sup> Boomer three hundred and Fifty, to  
 Major Robert King six Thousand one hundred & twenty, to  
 M<sup>r</sup> Robert Mason one hundred and Twenty Thousand nine hundred  
 and seven, to Colonel Jn<sup>o</sup> Addison & Capt. W<sup>m</sup> Dent Three Thou-  
 sand three hundred Thirty three, to M<sup>r</sup> Joseph Edlow two Thousand  
 one hundred, to M<sup>r</sup> Sam<sup>l</sup> Watkins more Ten Thousand seaventy six,  
 to Robert Taylor three Thousand one hundred Fifty six, to Colonel  
 Casparus Augustine Herman four Thousand one hundred sixty six, to  
 Jacob Young five Thousand nine hundred Thirty four, to M<sup>r</sup> Sam<sup>l</sup>  
 Watkins more Thirteene Thousand Eight hundred Eighty Eight,  
 to Joseph Edlow more three thousand and one hundred fifty seven,  
 to M<sup>r</sup> Mason by Assignment of Jn<sup>o</sup> Wincole Eighteen hundred forty  
 six, to M<sup>r</sup> Garrett Vanswaringen Thirty two thousand nine hundred  
 seaventy three, to M<sup>r</sup> Xpofer Nutter Eight hundred & Fifty, to  
 M<sup>r</sup> Vanswaringen two thousand forty three, to M<sup>r</sup> John Manning  
 fifteene hundred thirty one, more to ditto six hundred sixty one,



to W<sup>m</sup> Bladen four thousand, to M<sup>r</sup> W<sup>m</sup> Guither Eight Thousand Eight hundred Forty one, to M<sup>r</sup> Jn<sup>o</sup> Moll Seaven hundred, to Colonell Ninion Beale forty seaven Thousand and seaven hundred thirty three and a halfe, to the Estate of M<sup>r</sup> Jn<sup>o</sup> Lydiatt six hundred sixty seaven, to W<sup>m</sup> Nuthead more Eleaven hundred Seaventy seaven and an halfe, to Miles Burrowes more two Thousand two hundred Eighty Eight, to M<sup>r</sup> Vanswaringen more seaventeen Thousand Eighty Nine, to Jn<sup>o</sup> Evans more three Thousand six hundred and Twenty, to Capt. Jn<sup>o</sup> Coates two Thousand four hundred and forty, to James Brown more thirteene thousand Eight hundred and Twenty three, to Miles Burrowes twelve thousand one hundred fifty four, to Richard Bentham six thousand, to Miles Burrowes more Eighteen hundred ninety one, to M<sup>r</sup> Miles Burrowes six hundred and eighty, to S<sup>r</sup> Thomas Lawrence Barr<sup>t</sup> twelve hundred, to M<sup>r</sup> Joseph Edwards nine hundred, to James Browne more nine thousand five hundred thirty two, to M<sup>rs</sup> Elizabeth Baker three Thousand two hundred twenty three, to John Duckworth two hundred, to Jn<sup>o</sup> Little Eight hundred, to William Hames four Thousand, to Rich<sup>d</sup> Brightwell & men more twenty two Thousand two hundred and Forty, to Jn<sup>o</sup> Perry six Thousand, to James Robinson one hundred and Fifty, to Robert Drury Eight hundred, to Colonell Charles Hutchins two Thousand, to Henry Lawrence Eight hundred Fifty Six, to M<sup>r</sup> Thomas Ashwick Eleaven Thousand two hundred and Fifty, to M<sup>r</sup> Robert Mason five hundred and forty, to W<sup>m</sup> Cogwell one hundred and Fifty, to Capt. Jn<sup>o</sup> Bayne three Thousand one hundred and Sixteen, to William Harpam sixteen hundred, to W<sup>m</sup> Guither seaven Thousand and Forty and an halfe, to James Browne more one hundred fifty five, to Edward Crane three thousand five hundred, to Capt. Jn<sup>o</sup> Bayne more fourteen thousand Seaven hundred and Forty, to George Plater Esq<sup>r</sup> more thirteen hundred and sixteen, to James Browne more Thirteen hundred and fifteen, to M<sup>r</sup> Vanswaringen more four Thousand six hundred seaventy seaven, to S<sup>r</sup> Tho: Lawrence more five Thousand four hundred Seaventy two, to Colonell Jn<sup>o</sup> Addison seaventeen hundred, to Miles Burrowes more Eight hundred twenty nine, to Jn<sup>o</sup> Lewellin nine thousand two hundred fifty Eight, to Edward Taylor Jun<sup>r</sup> One hundred, to W<sup>m</sup> Taylard nine thousand six hundred ninety six, to Capt. Hamond Eighty, to Dan<sup>l</sup> Edge four hundred, to Edw<sup>d</sup> Parsons four hundred, to Capt. Edward Greenhalch one hundred and Fifty, to Richard Atwood one hundred and thirty, to Jn<sup>o</sup> Weekes one hundred and five, to Arthur de la hay ditto, to W<sup>m</sup> Taylor ditto, to Michaell Chivers ditto, to Herbert Thompson ditto, to Walter Taylor ditto, to Isaac Booth ditto, to W<sup>m</sup> Osbiston ditto, to John Williams ditto, to Richard Griffin ditto, to James Ricketts Eight hundred and Eighty, to Hugh Benson two hundred and Seaventy, to Capt. Rich<sup>d</sup> Smith more two Thousand one hundred, to M<sup>r</sup> Benjamin Scrivener Fifteen hundred and Fifty, to James Browne one hundred & thirty, to ditto six Thousand &

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Public eleven, to James Cullen sixteen hundred and nineteen, to W<sup>m</sup> Nut-  
Record head two thousand four hundred forty nine, to Jn<sup>o</sup> Evans more five  
Office, thousand & two, to Dan<sup>l</sup> Langhorne two hundred, to James Browne  
London, twelve hundred Forty two, to ditto twelve thousand one hundred  
C. O. 5, Eighty nine, to ditto Eight hundred twenty five, to M<sup>r</sup> Cleborne  
Vol. 731, Lomax seaven Thousand, to M<sup>r</sup> Henry Wriothlesly Three Thousand,  
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to M<sup>r</sup> Peter Dent two Thousand, to M<sup>r</sup> W<sup>m</sup> Cooper two Thousand,  
to M<sup>r</sup> Sam<sup>l</sup> Worthington two Thousand, to the Serjeant att Arms  
three Thousand, to M<sup>r</sup> Jn<sup>o</sup> Spratt two Thousand Five hundred, to  
James Baker twelve hundred, to Jonathan Clark twelve hundred, to  
Jn<sup>o</sup> Newton drummer twelve hundred, to Tho: Lowe the doorkeeper  
of the Councill twelve hundred, to M<sup>r</sup> Coney four Thousand, to  
M<sup>r</sup> Tubman one Thousand, to M<sup>r</sup> Hewett one Thousand, to M<sup>r</sup> Tho:  
Dingle one Thousand, to M<sup>r</sup> Hull one Thousand, to James Baker  
Jonathan Clarke and the doorkeeper of the Council more four hun-  
dred to each of them, to M<sup>r</sup> Phillip Lynes nine Thousand three  
hundred thirty three, to Jacob Lockerman Eleaven hundred and  
eighty, to Phillip Lynes twenty one Thousand five hundred seaventy  
six, to M<sup>r</sup> Vanswaringen more Eight Thousand Nine hundred  
Forty Seaven, to Miles Burrowes more six hundred & forty, to  
George Plater Esq<sup>r</sup> three hundred, to the Sherriff of Somersett seaven  
hundred & twenty, to the Sheriff of Dorchester ditto, to the Sherriff  
of Talbot ditto, to the Sherriff of Kent ditto, to the Sheriff of Cecill  
ditto, to the Sherriff of Baltimore ditto, to the Sheriff of Ann-  
Arrundell ditto, to M<sup>r</sup> Vanswaringen sixteen hundred, to Anthony  
Evans three hundred, to Catherine Redman two hundred, to M<sup>r</sup> Vans-  
warings Servant Margaret two hundred, to M<sup>r</sup> Vanswarings  
three other servants four hundred, to James Cullens Servants Six  
hundred, to James Browns servants twelve hundred, to W<sup>m</sup> Guithes  
two Servant women four hundred, to Richard Edlin four hundred,  
to Jn<sup>o</sup> Evans Servants four hundred, to James Browne more four  
Thousand three hundred and thirty foure, to W<sup>m</sup> Nuthead Eleaven  
hundred Thirty five, to Miles Burrowes Ninety, to James Browne  
two Thousand seaven hundred Fifty two, to W<sup>m</sup> Guither more Four  
Thousand, seaven hundred Forty one, to James Cullens more six  
Thousand forty two, to James Harpar more two Thousand three  
hundred Sixty six, to Jn<sup>o</sup> Evans more three Thousand, to M<sup>r</sup> Henry  
Denton more two Thousand, to Roger Newman five Thousand, to  
James Browne Ten Thousand six hundred Fifty four, to Phillip  
Lynes more three Thousand eight hundred & twelve, to Thomas  
Hutchins three hundred, to James Harpar more four hundred, to  
Henry Wriothesley more five hundred, to W<sup>m</sup> Nuthead more three  
hundred and five, to James Browne four Thousand four hundred, to  
M<sup>r</sup> Vanswaringen more three Thousand two hundred & Sixty, to  
Colonell Greenberry more fifteen hundred and sixty, to James  
Browne two Thousand two hundred and Forty, to James Cullens  
more Eleaven hundred and sixty, to W<sup>m</sup> Cooper more five hundred,



to William Guither more three hundred Forty three, to M<sup>r</sup> Cullens more sixteen hundred, to M<sup>r</sup> Guither more twelve hundred, to James Browne more four thousand, to M<sup>r</sup> Vanswaringen more two and twenty hundred, to Jn<sup>o</sup> Evans more twelve hundred, to M<sup>r</sup> Burrowes one hundred and Eighty, to Roger Toll four hundred, to M<sup>r</sup> Vanswaringen more seaven hundred twenty seaven, to W<sup>m</sup> Nuthead more three hundred seaventy two, and to the severall & respective Sheriffs of the Countyes within this Province for their Sallary for collecting the same the Sume of Ninety six Thousand six hundred Twenty nine pounds of Tobacco. And be it Enacted by the Authority aforesaid by and with the advice and consent aforesaid that the aforesaid Sume of One Million sixty two thousand nine hundred Twenty Eight pounds of Tobacco be levyed and assessed by an Equall Assessment upon the bodyes or Estates of the Inhabitants Taxables of this Province and paid to the severall persons to whom the same is due as aforesaid any Law Statute usage or Custome to the Contrary notwithstanding.

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Acts passed at February Session 1694/5

An Act for reviving some Temporary Laws of this Province.

Be it Enacted by the King & Queens most Excellent Majest<sup>ies</sup> by & with the advice & consent of this present Generall Assembly & the Authority of the same that one Act of Assembly of this Province made at a Gennerall Assembly begun & held at the City of St. Maryes the one & twentyeth day of September in the year of our Lord 1694 Entituled an Act for reviving the temporary laws of this Province, one other Act made the same Assembly intituled an Act for appeales & regulating writts of Error, one other Act made the same Assembly intituled an Act regulateing Ordinaries & limitting the number of them in this Province, One other Act made the same Assembly intituled an Act for the Imposition of four pence per gallon on Liquors imported into this Province, One other Act made at the same Assembly entituled an Act for speedy & easier Justice for small debts the severall Acts of Assembly & every of them & every article Clause & thing therein contained shall be and are hereby revived & continued to stand & be in full force & effect for & dureing three years or to the end of the next Gennerall Assembly which shall first happen.

Acts of 1694,  
ch. 36  
[Other Acts  
of this  
Session are  
printed in  
Archives,  
Vol. 19]

Acts passed at May Session 1695

An Additional Act to the Act of Religion

Be it enacted by the King & Queens most Excellent Maj<sup>sts</sup> by & with the advice & consent of this present gennerall Assembly & the authority of the same; that in every Respective Parish within this Province whereunto any Minister is or shall be hereafter admitted Inducted or appointed by his Excellency the Governour of this Province for the time being: Such Minister as aforesaid shall be added to, & be

Acts of May,  
1695, ch. 1  
(Repealed  
by 1696,  
ch. 18)  
[Other Acts  
passed at  
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principal Vestryman of that Parish; and if any of the Vestrymen (the Minister alwaies excepted) of such parish as afforesaid, shall not appear at the time & place when & where such Vestry shall be held, he or they so omitting their duty as afforesaid (the Minister excepted as afforesaid) shall be fined by such & so many of the said Vestry as shall be mett at the time & place appointed according to their discretion not exceeding the sum of one hundred pounds of tobacco to be Employed towards the use of the poore of that Parish which shall be recovered by the Vestry in the County Courts where such person or persons shall reside to be recovered by Bill plaint or Information wherein no Essoin Protection or wager of Law to be allowed. And be it further enacted by the Authority afforesaid by & with the advice & consent afforesaid that the vestry of each severall respective Parish within twelve months after the publication of this law or within twelve months after the finishing of the severall & respective Churches in such Parishes to be built as afforesaid, shall procure a Table of Marriages as is established by the Church of England to be fairly written, & put up in their Respective Churches under the pennallty of one thousand pounds of tobacco to every vestry faileing thereof; And that all Preists Ministers or Justices of the peace marrying any person contrary to the Rules of the said Table, shall pay to the Vestry of the said parish where the parties reside five thousand pounds of Tobacco & the parties so married shall pay the like sum, the said sums of tobacco so to be forfeited as afforesaid shall be employ'd by the Vestry of the said Parish to pious uses at their discretion; Which said severall fines & forfeitures shall be recovered by the Vestrymen in any Court of Reccord within this Province, wherein no Essoin protection or wager of law to be allowed. And be it further enacted by the authority aforesaid, by & with the advice & consent afforesaid, that the Vestry men of each Parish in each respective County within this Province doe at or before the tenth day of January next & so every year successively choose out of the most sober & discreet men within their severall & respective Counties & Parishes two persons to serve as Church Wardens, which said two persons shall & are hereby oblinded to act doe & performe all such duties & offices, as to their place & office of a Church Warden doe properly belong and appertaine for & dureing the space of one whole year under the penallty of one thousand pounds of tobacco each person neglecting or refusing to serve or execute such place & office as afforesaid, to be paid to the parties afforesaid, & to be recovered in manner & forme as afforesaid, & that the said vestrymen doe see satisfiye & allowed to the severall & respective Clerkes of the severall & respective Parishes afforesaid annually such sallary as to them shall seem meet, & to the end that the Service of God may be the better performed by putting the Inhabitants of this Province frequently in mind & remembrance of their Christian duty, Be it enacted by the King & Queens most Ex-

cellent Maj<sup>ties</sup> by & with the advice & consent afforesaid that the Minister in each respective Church or Chappell doe in pursuance of his Maj<sup>ties</sup> Royall Letter directed to the Right Reverend Father in God Henry Lord Bishop of London & countersigned by the Right Noble Prince Charles Duke of Shrewsbury their Maj<sup>ties</sup> principall Secretary of State bearing date the thirteenth day of February, in the year of our Lord one thousand six hundred eighty nine to be communicated to the Provinces of Canterbury & Yorke, by himselfe or Clerke read four times a year all penall Laws of this Province made for the punishment of Vice together with his said Majesties Royall letter within their severall & respective Parishes on penalty of being deprived of his Benefice, any other custome or usage to the contrary in anywise notwithstanding; And be it further enacted by the Authority afforesaid by & with the advice & consent afforesaid, that the vestry men of each Parish within this Province have full power & authority as a body Politick or corporate according to the Directions and Authoritie of a former law of this Province, Entituled an Act for the service of Allmighty God & the Establishment of the Protestant Religion in this Province, to sue implead & recover all or any Lands Tenements or hereditaments whatsoever, goods, Chattles or Creditts, by any waies or means given granted or bequeathed to the use & service of the Church of England within this Province Established or the Ministry thereof by any denominacōn whatsoever that were at any tyme heretofore given or granted either before the making of the said act of Religion or at any time after, & that the names Sirnames & places of habitation & abroad of all maner of persons within this Province except Negroes, Indians & Malattoes, that are not born of white woemen, that shall from & after the publication of this act be borne married or buried within this Province, together with the Respective dates of the day of the month & year of our Lord of the said Birth, Marriage or Buriall shall be exhibited to the Clerk of each respective vestry of each Respective Parish by the father of any such Child borne or shall be born the person married or the next of kin Executor Administrator Master or Mistress to him or them that shall be buried as afforesaid within two months after such Birth, Marriage, or Buriall afforesaid Under pain & the pennalty of one thousand pounds of tobacco, the one halfe to the vestry of such parish for payment & defraying of Parrocial charges & duties, the other halfe to the use of the poore of the said Parish wherein such default shall happen as afforesaid, & be it further Enacted by the Authority afforesaid & by & with the advice & consent afforesaid, that every Clerke of each respective vestry within this Province shall at the cost & charge of the Parish within one month after the publication hereoff provide a good Substantiall and dureable Booke whose leaves shall be parchment wherein he shall register in a fair Legible hand the names Sir names & places of habitation or abroad together with the Respective dates of the day, month & year of our

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Lord of the Birth Marriage or Buriall, so exhibited as afforesaid for which he shall have as his fee the Summ of six pounds of tobacco to be levied by way of Execution on the goods & chattles of the persons so requiring the Registring afforesaid that shall refuse or neglect the payment thereof; And if any Clerke of any Vestry within this Province shall neglect or refuse to provide one dureable Parchment Booke at the cost & charge of the Parish as afforesaid & therein to Register the names sirnames & places of habitation & aboad of such persons as shall be borne marryed or buryed within their respective Parishes so exhibited as afforesaid, shall forfeit & pay for every offence the sum of one thousand pounds of tobacco the one halfe thereof to the vestry to be Employ'd by them to the use of the Parish wherein such offence shall be committed, the other halfe thereof to the Informer to be recovered in any Court of Reccord within this Province by action of Debt Bill plaint or Informacōn wherein no Essoin protection or wager of Law to be allowed. And be it further Enacted by the Authority afforesaid by & with the advice & consent afforesaid that the Minister & vestry of each respective Parish within this Province shall be oblidged every three months to make enquiry that the severall & respective Clerkes doe their duty as afforesaid; Provided allwaies that this Act nor anything therein contained shall not any way countenance the discontinuance of any Legall Register of any Births, Marriages, or Burialls hitherto kept in any County within this Province. And be it further Enacted by the Authority afforesaid, by & with the advice & consent afforesaid that one Act of Assembly made at an Assembly begun & held at the City of St Maryes the tenth day of May in the year of our Lord One thousand six hundred ninety two Entituled an Act for Registring Births, Marriages & Burialls, in each respective County is hereby Repealled, & also that one Act of Assembly made att a gennerall assembly, begun & held at the City of St. Maries the one & twentieth day of September in the year of our Lord One thousand six hundred ninety four Entituled an Additional Act to the Act of Religion be & is hereby repealed; And be it further Enacted by the Authority aforesaid by & with the advice & consent aforesaid that all & every Vestryman & Vestrymen before they be admitted to proceed any further in their Vestry or be admitted into any Vestry within this Province shall be obliged to take the oathes appointed to be taken by Act of Parliament instead of the Oathes of Allegiance and supremecie & subscribe the test by the same Act of Parliament appointed, & so likewise shall the Church Wardens & Clerkes, & upon refusall thereof such Vestryman Churchwarden or Clerke are hereby declared to be disabled & incapable to act in any such station, and that every vestryman that now is or hereafter shall be vestryman or Clerke shall be immediately after the publishing this Act or at their next meeting after take their Oaths to be administred by the principall vestryman to the vestry & by the next to him well & truly to act & doe in each respective office without



prejudice favour or affection with equal right to all persons, and shall not diminish or detain from any Minister legally qualified & presented, Inducted or appointed by his Excellency the Governor, any right perquisite or benefit given by law; And that the Clerke of each County Court in this Province doe permitt the Clerke of each vestry to take a coppie of all the laws of this Province anywaies relating to the observance & practise of Religion without any fee gratuity or Reward whatsoever under the penalty of one thousand pounds of tobacco to every County Clerk whatsoever refusing the same to the use of the Vestry so refused as afforesaid, to be by them disposed to pious uses, & to be recovered in case of non payment thereof by action of Debt, bill, plaint or Information in any Court of Record within this Province wherein no Essoin protection or wager of Law to be allowed.

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An additional Act to the Act for the better administracōn of Justice in probate of Wills granting of administracōns recovering of Legacies & Secureing of filial portions.

Acts of May,  
1695, ch. 4  
(Continued  
by 1695,  
ch. 26)

Although the afforesaid law be a good & beneficial law to the end & purposes in the title thereof express'd yet notwithstanding the good provisions thereby made through the diversities of opinions upon the said Act the usages of this Province hitherto & the common law of England many doubts & ambiguities often arise about the Rights of Orphans & Widdowes by reason of many persons wills who devising a certaine part or portion of their Estate to their Widdowes with intent the same should be in full satisfaction of their Right of Dower, & all other claimes of either reall or personal estate, but for want of the said words in the said Wills, such Widdowes not only according to common Law claim their Dower in their said husbands Land, but also according to the use & custome of this Province one third part off their personall estate also as woemen whose husbands dye intestate & clayme what is also given them by will as a Legacie & benevolence of their husbands, which if allow'd would be to the utter Ruine of the said childeen, for the prevention whereoff for the future, Be it Enacted by the King & Queens most Excellent Maj<sup>ties</sup> by and with the advice and consent of this present generall Assembly & by the Authority of the same, that it shall be at the Ellection of such Widdowes having devises as afforesaid to take & receive the same in full satisfaction of all claymes & Rights to both personal & reall estate & be thereby harr'd for ever from all claymes to the same, or to refuse such Legacies & devise as afforesaid, & take their third part of the personal & real estate, as widdowes whose husbands dye intestate in this Province. And whereas many Orphans have greatly suffered by the Second Marriage of such widdowes, who having their estates in their possession by will or right of administracōn either by the one or both of them the said Estates have been



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wasted & imbezeled, And if the woeman die, the said husband refuses to render an account of such estate, alleadging that he is neither Executor nor Administrator of his wife nor of her former husband, Whereas at common Law a woeman covert Executrix can doe no act to prejudice her husband, all such acts dureing the same being void without his consent he not preventing such waste when in his power ought to answer for the same, Be it therefore Enacted by the Authority afforesaid by & with the advice & consent afforesaid that every such permitting & suffering such waste by such second husband dureing the coverture such husband shall account for the same & be liable to be Sued for the Said Estate due to such Orphan, by such Orphan if at age, or if under age by his Guardian as well as the Security, or together with his wife if liveing & if the Security be insolvent then by himselfe and also for all waste committed by his wife before Marriage, if sued during coverture. And whereas Orphans of persons dyeing intestate by the good provisions of the former Act in committing them to the care of the County Courts to Inspect the good condition of their securities & good usage according to the said Act are by experience found to be in better condition in respect of both then the Orphans of Testators whose Executors have hitherto rarely given any security & that the security they have given many times prov'd insolvent.

Be it therefore Enacted by the Authority afforesaid by & with the advice & consent afforesaid, that the Judge for probate of wills shall hereafter take good & sufficient Security of all Executors and Executrices to the use of any Orphan or Orphans in any will mentioned, & not solely to their own use for the true performance of such last will & testament according to the law & intent of the Testator, and the Justices of the severall County Courts shall at the same time that they by Jurey Inquire of the good usage & good condition of the security of other Orphans, shall also Inquire the same of these, And if they find the Securities like to be insolvent or the Orphans ill used, to transmitt the same to the Judge for probate of wills for the time being to be releived according to law & the Testators intent, And for the more speedy Administracōn of Justice to Orphans Legatees & others in their Maj<sup>stes</sup> Courts of probate of wills & granting of Administracōns which hath hitherto by the tedious methods used in Chancery, before the Judges sentence in the said Court can take effect the methods of England being at present here not practicable; Be it further Enacted by the Authority afforesaid by & with the advice & consent afforesaid that every person or persons that shall not after Sentence given in the said Court against him or them within fifteen days after such sentence, enter his appeall with the said Judge from such sentence & within fifteen dayes more procure an Examination thereof by a Court of Deligates, nor in the mean time comply with the sentence of the said Judge, it being sent to them under the hand & seale of the said Judge nor give in Security to per-

forme the same, & oath made of the Refusall thereoff It shall be lawful for the said Judge to issue forth of the said Office under his hand & seale an Attachment against the bodyes of such persons so refuseing & him or them to Imprison untill he or they satesfie & Comply with the said sentence or give in good securitie to doe the same, this Law not to barr the said Judge to proceed against persons not complying with Sentences given before the makeing of this act according to the former usadge & custome to compell them to the same. And whereas the long & tedious returnes of the proceedings of the Deputy Commissaryes of the severall Countyes to the office for probate of Wills occasions great delay of business in the said office; Be it further Enacted by the authority afforesaid by & with the advice & consent afforesaid, that all & every Deputy Commissary within this Province shall once in three months at the least return what proceedings are in their hands into the said office, that the same may be duely entred & Reccorded; And be it further Enacted by the Authority afforesaid by & with the advice & consent afforesaid, that all & every County Clerke or Clerkes within this Province shall return into the Office for probate of wills & granting of Administracōns all the proceedings of their severall Justices of their severall & respective County Courts in the proveing of Wills & granting of Administracōns from the begining of the late Revolution to this present day & all Bonds taken in those matters upon penallty of one Thousand pounds of tobacco that so what matters are there left unfinished for want of power in them, May be perfected by the said Judge for probate of Wills &c<sup>a</sup> as the Law requires, And further that the Justices of every County Court shall yearly & every year sometime in the month of March transmitt and send to the said Judge for probate of wills for the time being, their price currant of Tobacco in their severall & respective Counties, that so the said Judge may allow the Same to Administrators & Executors in makeing up their accounts; And whereas Orphans & Creditors are many times injured by the low appraisement & under vallueing of the Estates of the deceased; Therefore Be it Enacted by the Authority afforesaid, by & with the advice & consent afforesaid, that when any Executor or Administrator doth appraise the Estate of the deceased, he shall give notice of such his appraisement and call together two of the next of kin to the said deceased & two of the Creditors of the said deceased if any then be, who shall be present at the said appraisement with the sworn Appraisers & shall certifie to the Commissary or to his Deputy under their hands that they were present at the appraisement & doe approve thereoff, and if any Executor or Administrator Return any Inventory without such Certificate as afforesaid The said Judge or his deputy in each respective County of this Province shall not accept or Receive the same into his or their office, This act to Endure for three years or to the end of the next Session of Assembly which shall first happen.

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Public Record Office, London. C. O. 5, Vol. 731, Maryland. From 1694-1702. Acts of May, 1695, ch. 5 (Repealed by 1700, ch. 8)

An Act for Regulating Ordinaryes & limiting the Number of them within this Province.

For the better Regulateing Ordinary Keepers & Inholders within this Province for the future. Be it Enacted by the King & Queens most excellent Maj<sup>ties</sup> by and with the advice & consent of this present gennerall Assembly & the Authority of the same that from & after publication hereoff the Commiss<sup>rs</sup> of each County Court, & the Mayor Recorder & Aldermen of the City of St Maryes at the Mayors Court, Be & are hereby Impowered & authorized from time to time, & as often as need shall require to grant Lycences to such person or persons as they shall think fitt to be Ordinary Keepers & Inholders for the Keeping of Ordnaryes & houses of Entertainment for so long time & in such & in so many places within their severall & respective Counties & Citty afforesaid for the ease & conveniency of the Inhabitants travellers & strangers as to them respectively shall seem meet for which Lycences the said persons that shall be so Lycensed to keep Ordinaryes, Except all such persons as shall sett up and keep Ordinary or Ordinaryes in the Poart of Annapolis within the County of Annarundell who for the better accomodacōn of the good people of this Province and Encouragement of all such persons as shall keep Ordinaryes within the said Port, shall have their License gratis without paying of any summ of tobacco whatsoever for the same for one year after their setting up anything in this present act to the contrary in anywise notwithstanding, Provided such Ordinary be set up & accomodated according to the tenour of this act within six months after the end of this Session of Assembly shall at the time of his or their takeing of such License or Lycences be bound & obliged to pay unto the Secretary of this Province for the time being if he or they keep Ordinary within the Port of Annapolis in Annarundell County (except before excepted) or within two miles thereof the sum of two thousand pounds of tobacco yearly for a fine for every such License, or if he or they doe keep Ordinary within the City of St. Maryes or any County within this Province twelve hundred pounds of tobacco & give bond for due payment thereof, And it is hereby Enacted by the Authority afforesaid, by & with the advice & Consent afforesaid that the Clerke of each Respective County Court within this Province & the Clerke of the Mayors Court of the said Citty of St. Maryes shall cause such License and the fines for granting such Lycences & the Security given for the payment & performance thereof to be duly entred upon Reccord in their severall Courts & then transmitt the said Bonds to the Justices of the Provinciaall Court for their Maj<sup>ties</sup> said Secretaryes use, for which said License & bonds such Ordinary Keeper shall pay to such Respective Clerke sixty pounds of tobacco & no more. And be it further enacted by the Authority afforesaid by & with the advice & consent afforesaid, that the Commissioners of the severall County Courts, & the Said Mayor & Recorder & Aldermen of the said Citty, be and are hereby author-

ized & Impowered at their severall County Courts, & Mayors Court, in the month of January & in the month of August halfe yearly in every year durement the continuance of this act, haveing summoned each respective Ordinary Keeper within their respective County & Citty, then & there to Sett & assess the rates and prizes of all Liquors whatsoever in this present act not hereafter mentioned, by them the said Ordinary Keepers vended or to be vended for the year ensueing, & so for every year durement the continuance of this Act, which rates & prizes so to be sett & assessed limitted and appointed by the Commissioners afforesaid, & by the Magistrates of the Citty afforesaid, shall be by their severall & respective Clerkes transcribed & sett upp at their severall & respective County Courts & Citty afforesaid, in some publick place or places there, that any person or persons may peruse the same, the Coppy of which Table & prizes of Liquors every Ordinary Keeper within each County are hereby oblided to transcribe fairly & keep the same set up in the most publick place of their house or houses for the perusal of all persons that receive any Ordinary accomodacions from them under the penalty of one thousand pounds of tobacco to be applyed to the use of the Parish wherein the said Ordinary Keeper shall live to be sued for in case of non payment thereof by the Vestry of the said Parish; for which sums & tables of prizes every Ordinary Keeper shall pay to such Clerke the sum of forty pounds of tobacco & no more, & any Ordinary Keeper or Inholder that shall after setting & assessing the rates & prizes afforesaid directly or indirectly take exact demand or receive for the price & pay for any such Liquors for which the rates & prizes shall be set & assessed as afforesaid of any person or persons whatsoever above the rates & prizes so assessed as afforesaid shall for every offence forfeit & pay the Sum of five hundred pounds of tobacco one halfe thereof to their Majesties & the other halfe to him or them that shall informe & sue for the same, & loose every such debt so unjustly charged exacted & demanded the said forfeiture to be recovered in any Court of Reccord within this Province wherein no Essoin, protection, or wager of Law to be allowed; And every such Ordinary keeper that shall demand exact or receive above the sum of tenn pounds of tobacco per gallon for small beere twenty pounds of tobacco for strong beer, for a nights lodging in a bed four pounds of tobacco, for a peck of shelled Indian Corne or oates for a horse twelve pounds of tobacco, for pastureage for a horse per night six pounds of tobacco for hay or straw for a horse per night tenn pounds of tobacco shall also pay & forfeit for every such offence the sum of five hundred pounds of tobacco one halfe thereof to their said Majesties & the other halfe to him or them that shall informe or sue for the same, to be recovered as afforesaid, & loose every such debt so unjustly charged as afforesaid & to the intent that all persons Inhabitants Travellers & strangers may be certain of good & sufficient accomodacions for themselves & their horses, Be it Enacted by the Authority

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 Record Keeper or Inholder to be licensed as afforesaid, shall within six  
 Office, months after granting their respective Lycenses be hereby oblidge  
 London, to provide & maintaine if the said Ordinary be kept at the Court house  
 C. O. 5. to provide & maintaine if the said Ordinary be kept at the Court house  
 Vol. 731. of the said County, or at the port of Annapolis twelve good substan-  
 Maryland, tiall beds over & above what is for their own families use with cover-  
 From ing for the same, and if the said ordinary be kept at any other part of  
 1694-1702. the County then at the Court house afforesaid to provide six good  
 Acts spare bedds with Coverings at the least, under the penallty of five  
 thousand pounds of tobacco one halfe to their Majesties their heirs  
 or Successors the other halfe to him or them that shall informe or sue  
 for the same to be recovered by bill plaint or Information wherein  
 no Essoine protection or wager of Law to be allowed.

And be it further Enacted by the Authority afforesaid that every  
 Ordinary Keeper or Inholder so to be lycensed as afforesaid shall  
 within six months after granting their respective Lycenses be & are  
 hereby oblidge to provide & maintain accomodacõn of Oates hay  
 & straw for litter & Indian corne together with Stable roome con-  
 venient & sufficient for twenty horses at the least under the penalty  
 afforesaid Provided allwaies that no person or persons so Lycensed  
 or to be Lycensed to keep Ordinaryes as afforesaid shall dureing the  
 time of such their keeping Ordinary be Justices of the peace nor Com-  
 missioners in any County Court within this Province nor Mayor  
 Recorder or Alderman of the said City of St. Maries any thing in  
 this present act to the contrary notwithstanding. And it is further  
 Enacted by the Authority afforesaid that if any Ordinary keeper  
 keeping evill Rule in his house uppon complaint made thereof to the  
 Justices of the County Court of such Ordinary keepers missbehaviour  
 of himselfe or of keeping evil rule in his house the said Justices of the  
 County Courts may & are hereby authorized & Impowered to sup-  
 press such Ordinary Keeper & call in such Lycence. And be it further  
 enacted by the Authority afforesaid that any Ordinary Keeper dis-  
 abled or supprest as afforesaid, or any other person that shall pre-  
 sume to keep Ordinary without Lycence first had & obtained as affore-  
 said, (Except as before excepted) shall for every month he or they  
 shall keep Ordinary as afforesaid, forfeit & pay tenn thousand pounds  
 of tobacco one halfe to their Majesties & the other halfe to him or  
 them that shall sue for the same to be recovered in any Court of  
 Reccord within this Province by Bill plaint or Informacõn wherein  
 no Essoin protection or wager of Law to be allowed.

And be it enacted by the authority afforesaid that from & after the  
 publication hereoff no Ordinary Keeper within this Province shall  
 take any Bill bond or other security other then the account charged  
 in his booke for the Same or recover Judgment in any Court of  
 Reccord within this Province, for such debt till he hath before one  
 Justice of the Provincially or County Court or one Allderman of the



said Citty of St. Maryes first taken his corporall oath that the particularers of the afforesaid account are truly rated & according to the rates & prizes sett & assessed by the Justices impowered thereunto by Act of Assembly & that the same were sold & delivered by the order of the said debtor or his appointment. And that Bona fide without fraud the same Liquor for quallity as in his said account he hath named & sold the same without any imbasement or mixture other then what was ordered by the said deptor or his consent, which oath so taken shall be certified under the hand of such Justice of the Provinciaall or County Court or Allderman of the said Citty before whom the said Oath shall be taken, & delivered to the said deptor before any other security be taken, otherwise the said Bills, Bonds, & all other securities shall be void & a perpetuall barr against the said creditor, other then the said Booke debt legally charged according to act of Assembly as afforesaid, for which Certificate they shall pay to the Clerke the said Justice shall imploy to write the same the Summ of twelve pence sterling, or twenty pounds of tobacco to be allowed them again in the said account sworne to against such deptor, which said debtor shall allso endorse under his hand such Bill bond or other security given with these words an account delivered before the passing of this Bill according to act of Assembly; Provided that this Act shall not hinder such Ordinary keeper from selling for readie mony within doores or without, any Liquor without any account given as is by this act prescribed, but may doe the same as he might have done before the makeing hereoff, any thing in this act to the Contrary thereof contained in anywise notwithstanding. And be it further enacted by the authority afforesaid that no person or persons inhabiting within this Province not having lawfull Lycense, (except before excepted) shall sell by retaile any Cyder Quince drink, or other strong Liquors to be drunk in his or their houses or about his hir or their plantations upon forfeiture of every time he she or they shall be legally convict thereof the sum of one thousand pounds of tobacco the one halfe thereof to their Majesties their heirs & Successors for the support of this government the other halfe to the Informer or him or them that shall sue for the same to be recovered in any Court of Reccord within this Province by action of Debt, Bill plaint or Information wherein no Essoin protection or wager of Law to be allowed. And be it further Enacted by the Authority afforesaid by & with the advice & consent afforesaid that no person or persons whatsoever so lycensed to keep Ordinary as afforesaid shall refuse to Creditt any person capable of giving a vote for ellection of Burgesses in any County within this Province for the vallue of four hundred pounds of tobacco per annum for any accomodation by him vended whereof any such person so capacitated as afforesaid shall have occasion of or require to be accomodated with under the penalty & forfeiture of four hundred pounds of tobacco to be paid by such Ordinary Keeper so refusing to credit such person as

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afforesaid, one moyetie thereof to their Majesties the other halfe to the Vestry of the Parish where such Ordinary shall be kept any Law statute or usage to the contrary in anywise notwithstanding. And lastly it is also hereby Enacted by the Authority afforesaid that the Justices of the Provinciaall Court or the Commissioners of the respective County Courts shall give this act in charge to the severall grand Juries as also to the severall Commissioners of the Respective Courts & the Majestrates of the said Citty to their severall & respective Constables to Enquire into the breach of his act & into all disorders committed in the said Ordinaries & present the same if any be to the severall Courts to be examined & punished according to Law & that all & every respective act & acts formerly made concerning Ordinary Keepers are hereby repealed & made void.

And be it further enacted by the Authority afforesaid that no Ordinary Keeper shall credit any Seaman or freeman unmarried & not having a plantation seated for above the value of four hundred pounds of tobacco or twenty shillings sterling in one year on penalty of being hereby disabled to recover the same in any Court of Reccord within this Province.

Acts of May, 1695, ch. 6  
(Continued  
by 1695,  
ch. 26)

An Act Restraining the frequent Assembling of Negroes within this Province.

Whereas this present Gennerall Assembly have taken into their serious consideracōn the evil consequences attending the continual concourse of Negroes on Sabboth & holy days meeting in great numbers having thereby the opportunity of Imbezelling & bartaring away sundry Goods belonging to their Masters or Owners to the great damage of such Masters & Owners as afforesaid, as also of conspiring & proposing waies & means for the gaining of their liberty & freedom which must inevitably end in Insurrection to suppress which would occasion much bloodshed if not impossible ever to be effected, for the prevention of all which mischiefs & inconveniencies for the future, Be it Enacted by the King & Queens most Excellent Majesties by & with the advice & Consent of this present gennerall Assembly & by & with the Authority of the same that from & after the publication hereoff no negro slave whatsoever shall presume at any time to travell to any place of meeting or resort or wander about from Plantation to Plantation under pretext of visiting, but that every negro so travelling or wandering shall receive such corporall punishment as the person or persons finding such negro slave or slaves transgressing as afforesaid against the true intent & meaning of this act shall think fitt to impose, not extending to life or member or otherwaies disabling such negro from performing service without being liable to any action for damages by the Master or Owner of such negro or negroes brought against such person or persons so giving them correction as afforesaid.

And be it further Enacted by the Authority afforesaid by & with the advice & consent afforesaid, that no master or other owner of any negro or negroes Slaves as afforesaid haveing quarters or out Plantations seated more then his proper seat of residence shall suffer them to pass or repass from plantacōn to plantacōn upon any pretext whatsoever, one at a plantation to be nominated & appointed by the Master Owner or Overseer of such Negro as afforesaid only excepted, which said Master or Owner or Overseer shall give unto such Negro a ticket or certificate under his hand & seale wherein shall be certified that such negro is permitted to pass & repass from his seat of residence to his quarter who upon his examination producing his certificate, & being not found either out of the way or neglecting his Masters service it shall & may be lawfull to proceed on his way in order to the dispatch of his Masters affaires without being further impeaded or retarded, but in case such Master or other owner shall wittingly or willingly suffer such negro to pass from his seat of residence to his quarter as afforesaid or overseer of any quarter that shall wittingly or willingly permitt any negro under his charge to goe to his Masters seat as afforesaid not haveing a pass as afforesaid being convict thereof shall be fined two hundred pounds of tobacco for the use of the parish wherein such Master owner or overseer shall reside. And be it further Enacted by the Authority afforesaid by & with the advice & consent afforesaid, that whereas many negroes absent themselves from their Masters service & runn out into the woods & there remaine killing & destroying of hoggs & cattle belonging unto the people of this Province if that such negro or negroes so outlying as afforesaid shall refuse to surrender themselves making resistance against such persons as persue to apprehend & take them upp being thereunto Legally impowered it shall be lawfull to & for such persuers upon such resistance made to shoot kill & destroy such negro or negroes as afforesaid. And be it further Enacted by the Authority afforesaid by & with the advice & consent afforesaid that the vestry of each parish take care & order that this act be published in their severall parish Churches four times in every year dureing the continuance of the same, this act to continue for three years or to the end of the next Session of Assembly which shall first happen.

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An Act for the Raising a Supply towards the defraying the Publick charge of this Province.

Acts of 1695,  
ch. 8

Forasmuch as it hath been represented to this generall Assembly that the great & heavie charge attending the Publick gives dayly occasion to the Inhabitants of this Province whose interest in the same compells them not therein to continue & remaine but quitt the government which casts the burthen wholly on such whose competency or fortune oblidges to abide therein & renders the same insupportable, & for that the Burgesses & Delegates of this present generall Assembly have taken into their serious consideracōn by what

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waies & means they may possibly prevent so great an evill, towards the effecting whereof it hath been humbly proposed that a certain sum of money or tobacco to be paid & deposited as in this Act is hereafter mentioned & expressed by every officer bearing any place or office of profit according to the proffitts & perquisites of his office within this Province would be a great ease benefitt & satisfaction to the good people of this Province inhabiting & residing within the same & be a means to prevent freemen & other persons unintrested therein from deserting the Province as afforesaid, it is therefore humbly prayed that it may be enacted & be it Enacted by the King & Queens most Excellent Majesties by & with the advice & consent of this present general Assembly & the Authority of the same that the severall Officers enjoying or possessing any place or office of profit within this Province as afforesaid, shall pay & deposite for the use of the Publick the severall & respective sums following that is to say the Commissary gennerall the sum of three thousand pounds of tobacco per annum, The Keeper of the great Seale two thousand pounds of tobacco per annum, the Sheriff of each respective Countie two pounds of tobacco per pole for every tythable person within his County yearly, the Clerk of each respective County two pounds of tobacco per pole yearly for every tythable person within their County as afforesaid, The Attorney Gennerall one thousand six hundred pounds of tobacco per annum, every Attorney practising in the Provincially Court the Sum of twelve hundred pounds of tobacco per annum & every Soliciter belonging to the said Court the sum of eight hundred pounds of tobacco per annum, the Clerke of the Assembly four hundred pounds of tobacco per annum, the Clerke of the Provincially Court the sum of four hundred pounds of tobacco per annum, every Coroner One hundred pounds of tobacco per annum, every deputy Commissary the sum of four hundred pounds of tobacco per annum, each Clerke of Indictments two hundred pounds of tobacco per annum, The Surveyor gennerall of Lands for the King eight hundred pounds of tobacco per annum, every deputy Surveyor of Lands for the King one hundred pounds of tobacco per annum, the Clerke of the Council four hundred pounds of tobacco per annum, Every Navall Officer the tenth part of the perquisites of his place, the Receiver gennerall of this Province for the King the sum of twelve hundred pounds of tobacco per annum, the two treasurers of this Province each four hundred pounds of tobacco per annum, Every Attorney practising in the County Courts two hundred pounds of tobacco per annum which said severall sums of money & tobacco shall yearly & every year after the publication hereoff be paid unto the Treasurers of this Province for the time being sometime between the tenth day of October & the tenth of Januuary then next following to be recovered in case of non payment by action of debt in any Court of Reccord within this Province & in case of the death or removall of any of the Officers in this Act men-



tioned after the first payment due & payable as afforesaid before one whole year be expired then such person or persons or their or his Executor or Administrator to be accountable only for such part & portion of the afforesaid sum or summs of money or tobacco as the space of time between the preceding time of payment & the time of such his or their Resignation dismission or death shall appear to be justly due & the remaining part of that years due to be made good at the time of payment afforesaid by such person or persons as shall be initiated into such vacant office or offices as afforesaid, for which said severall summs so collected & paid as afforesaid the said Treasurers shall be accountable to the next Assembly to be by them disposed on towards the defraying of publick charges as to them shall seem meet, for the collection whereoff the Sheriff of each County for so much as he shall collect shall have five pounds of tobacco per centum out of the same & no more. And to the end the said Treasurers may be duely informed who are the Officers in each respective County under the Cognizance of this Act, Be it therefore Enacted by the Authority afforesaid that the severall & respective Clerkes of the severall & respective Counties doe sometime before the last day of September yearly & every year returne to the said Treasurers an account of what Officers are dwelling or Resideing in their said Counties or otherwise practiseing or officiateing therein under the penalty of two thousand pounds of tobacco for every default that is to say the Respective Clerkes of St. Maryes, Charles, Calvert, Ann Arrundell, & Balltimore to M<sup>r</sup> Thomas Tasker, Treasurer for the Western side, & the Clerkes of Talbot, Kent, Cæcil, Dorchester, & Somersett to Major Whittington Treasurer for the Eastern side this act to endure for three years or to the end of the next Session of Assembly which shall first happen.

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An act for the laying an Imposition upon Negroes Slaves & White servants Imported into this Province.

Acts of  
May, 1695,  
ch. 9

Forasmuch as this gennerall Assembly are deeply sensible of the great charge the Country is at for the building a State house & defraying of other publick dues & duties & being desirous of easing the burthen under which at present the good people of this Province groane have taken into their consideration that it might be of great advantage in order thereunto that an Impost were laid upon Servants & Slaves imported into this Province Be it therefore Enacted by the King & Queens most Excellent Majesties by & with the advice & consent of this present gennerall Assembly & the Authority of the same that from & after the publication hereoff, All Masters of Shippes & other Vessells importing servants into this Province, at the time of their entry pay unto the Navall Officer for the time being properly belonging to such port & place where such Entry shall be made as afforesaid the sum of two shillings & sixpence sterling per pole on penalty & forfeiture in case of non payment or refusall to pay the said



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tax the sum of twenty shillings sterling per pole for every Servant by such Master concealed or unpaid for as afforesaid to be recovered by action of Debt, Bill plaint or Information in any Court of Reccord within this Province wherein no Essoine Protection or wager of law to be allowed.

And be it further Enacted by the Authority afforesaid, by & with the advice & consent afforesaid that for every Negro imported into this Province either by land or by water & exposed for sale within three months after arrivall within this Province the Vendor or Vendors shall pay unto the Navall Officer as afforesaid the sum of ten shillings sterling for pole on penalty & forfeiture of five pounds sterling per pole for every negro by them imported & kept back or unaccounted for as afforesaid To be collected & gathered deposited & accounted for to the use intent & purpose & in such method & manner as in the act for the Impost of four pence per gallon made at a Session of Assembly begun & held at the City of St. Maryes the one & twentieth day of September in the year of our Lord one thousand six hundred ninety four is therein mentioned & express'd any thing herein contained to the contrary notwithstanding, this act to endure for three yeares or to the end of the next Session of Assembly which shall first happen.

Acts of  
May, 1695,  
ch. 12

An Act for the assessing of three pence a hogshead upon tobacco towards the defraying of the public charge of this Province.

Whereas the present necessity of the Province requires farr greater disbursements towards the defraying of the publick charge then what the present Impositions levied & assessed now being in the hands of the Treasurers of this Province will discount it is therefore humbly prayed that it may be enacted & be it Enacted by the King & Queens most Excellent Majesties by & with the advice & consent of this present gennerall Assembly & the Authority of the same that from & after the two & twentieth day of May instant all Masters of Shippes or other Vessells now actually being or tradeing within this Province or that shall be or trade within the same (that is to say) from the end of the two & twentieth day of May instant afforesaid for & dureing the full terme or time of one whole year next ensuing, pay unto our Sovereign Lord & Lady the King & Queen, their heirs & successors for the use of the publick, the sum of three pence sterling for every hogshead or quantity of a hogshead of tobacco in such his or their Ship or Vessell by him or them exported, for the collecting & gathering whereoff the severall & respective Navall Officers within this Province shall take good & sufficient security for the payment of the same, & render an account thereof to M<sup>r</sup> Thomas Tasker one of the Treasurers of this Province for the time being to be disposed of in such method & Manner as this present Gennerall Assembly shall think fitt, this Act to be in force for & during the tearme & time

afforesaid & no longer. And in case any Ship or other Vessell paying the duty & imposition afforesaid shall miscarry before hir arrivall at hir intended port, then such Master or Masters or other person or persons Intressed or concerned shall be allowed to ship of so much Tobacco againe the next year ensuing without paying the afforesaid duty & Imposition any thing in this present act contained to the contrary thereof notwithstanding.

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An act for laying the publick Leavie.

Be it Enacted by the King & Queens most Excellent Majesties by & with the advice & consent of this present Gennerall Assembly & the Authority of the same that these severall persons following Viz<sup>t</sup> M<sup>r</sup> John Wattson of St. Maryes Citty M<sup>r</sup> Rob<sup>t</sup> Mason of St. Maryes Countie, Major Thomas Smith of Kent County, Major John Hammond of Ann-Arrundell County, M<sup>r</sup> Thomas Tasker of Calvert County, M<sup>r</sup> William Dent of Charles County, M<sup>r</sup> Francis Wattkins of Baltimore County, M<sup>r</sup> Rob<sup>t</sup> Smith of Talbot County, Captain Will<sup>m</sup> Whittington of Somerset County, M<sup>r</sup> John Pollard of Dorchester County & Major John Thompson of Cæcil County Burgresses & Delegates of the said severall & respective Counties be & are hereby authorized nominated & appointed a Committee for the laying the next publick levie in order to the defraying of the Publick charge of this Province not exceeding the sum of five hundred thousand pounds of tobacco which said severall persons are hereby required & appointed to meet at Annapolis in the County of Ann-Arundell on the Monday before the Provinciall Court which shall be in October next ensuing this present Gennerall Assembly & to the end that all persons intrested or concerned may have due notice of the time & place afforesaid.

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ch. 14

Be it Enacted by the Authority afforesaid that the Deligates of each respective County doe signifie to the Respective Clerkes the time & place by this act nominated & appointed for all persons to bring in their accounts, who are hereby Oblidged to fix up in some publick place neer the Court house in Writing the time & place afforesaid under the penalty & forfeiture of two thousand pounds of tobacco, One halfe to their Majesties their heirs & Successors and the other halfe to him or them that shall informe and sue for the same to be recovered by Bill, plaint or Information, wherein no Essoin Protection or Wager of Law to be allowed.

An act for Reviving the Temporary Laws of this Province.

Be it Enacted by the King & Queens most Excellent Majesties by & with the advice & consent of this present Gennerall Assembly & the Authority of the same that one Act of Assembly of this Province made at a Gennerall Assembly of this Province begun & held at the Citty of St. Maryes the tenth day of May in the year of our Lord

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One thousand six hundred ninety two Entituled an Act for Prohibiting trade with the Indians for any flesh dead or alive except Deer & Wilde Fowle One other act made at the same Assembly Intituled an Act for the more speedy bringing to tryall (& suppressing Criminals & limmitting their punishments for certaine offences) in the County Courts, one other act made at the same Assembly Entituled an Act Relating to servants & slaves, One other act made at the same Assembly Intituled an act declareing what shall be done by the Sheriffs ex officio, one other act made at the same Assembly Intituled an act for securing Merchants & others tobacco after they have received it, one other act made at the same Assembly Intituled an Act for Limmitation of Officers fees, One other act made at the same Assembly Intituled an act for limmiting the County Clerkes fees within this Province; One other act made at the same assembly Intituled an act for the Ordering & Regulateing of the Militia of this Province for the better defence & securitie thereof, One other Act made at the same Assembly Intituled an act ascertaining what damages shall be allowed uppon protested Bills of Exchange, One other Act made at the same Assembly Intituled an act for encouragement of tillage & Raiseing Provisions for advancement of trade in this Province, One other act made at the same Assembly Intituled an act for the better Administracōn of Justice in the County Courts of this Province, One other Act made at the Same Assembly Intituled an Act for americiaments in the Provinciall & County Courts, One other act made at the same Assembly Intituled an Act against the exportation of Wooll & old Iron, One other act made at the same Assembly Intituled an act for the restraining the Exportation of Leather & raw hides Deer & elke skinns out of this Province for the encouragement of Tanners & Schoomakers, one other act made at the same Assembly Intituled an act prohibiting forreigne ingrossers, also one other act made at the Assembly begun & held at the City of St. Maryes the one & twentieth day of September in the year of our Lord 1694 Intituled an act for settleing a Renewal on their Majesties present Governour, also one other act made at the same Assembly Intituled an Act for Appeales and Regulateing Writts of Error, one other act made at the same assembly Intituled an act for speedie & easie Justice for small debts, also one other act made at the same Assembly Intituled an act for the Imposition of four pence per gallon on Liquors Imported into this Province, also one other act made at the same Assembly Intituled an act to prevent the great evill occasioned by the multiplicite of horses within this Province, also one other Act made at the same Assembly Intituled an act prohibiting the Inhabitants of this Province or any others from carrying Liquors to the Indian Townes or Cabbins & that these severall Acts of Assembly & every perticuler clause & thing therein contained shall be & are hereby revived & continued to stand & be in full force & effect for & dureing three years or to the end of the next Gennerall Assembly which shall first happen.

An additional act to the act for Regulating the Militia of this Province.

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Whereas by an act of Assembly Intituled an act for regulating the Militia of this Province amongst other things therein contained it was Enacted that every person enlisted into the trayned bands or Militia of the severall & respective Counties within this Province should from time to time bring into the field one fixed Gun, as also every person enlisted as a trooper should ride his own horse equipped with Sword Carbine pistols & houlsters & ammunition under the paines & penalties in the said recited act mentioned and expressed, but for that the said Act hath provided no remedie for secureing the Rights & properties of such persons to such horses & armes as afforesaid from being seized & taken away by attachments & executions or preventing the owners from selling pawning or otherwise disposing of such their horses or armes as afforesaid, Be it Enacted by the King & Queens most Excellent Majesties by & with the advice & consent of this present Gennerall Assembly & the Authority of the same that from & after the publication hereof every person whatsoever enlisted in the trained bands or Militia of this Province shall at the next Muster enter with the Clerke the armes wherewith he shall exercise, & that the Clerke of the severall & respective companies doe upon such arms entred as afforesaid, affix some marke thereon peculier to the company, whiche mark no person or persons whatsoever shall presume to affix upon any armes not entered as afforesaid, under the penalty of four hundred pounds of tobacco to be levied & assessed by the Militia Officers in field being, & execution thereon awarded to be executed & applied to the uses intents & purposes as the severall & respective fines in the former act mentioned are to be applied & no other. And that the Clerke of every troop shall at the next exercise enter the arms wherewith the severall & respective Troopers shall appear & them marke as afforesaid, which mark no person shall presume to affix on any other armes not entred as afforesaid, under the penaltie aforementioned which said arms the owner thereof shall be obliged to appear with at the severall & respective times of muster as shall from time to time hereafter ensue under the penaltie as in the afforesaid recited act is mentioned & in case upon the calling over such company or troop as afforesaid, any the said persons upon examination shall be found to have disposed pawned lent out or Imbezled such his or their armes as afforesaid such person or persons shall be fined four hundred pounds of tobacco or under according to the nature of the offence as the afforesaid Millitary Officers shall adjudge, & that no person or persons whatsoever shall accept of any such purchase or pawn or by what other waies or means soever lay claim to any arms so marked & entred as afforesaid under the penalty of five hundred pounds of tobacco to be appropriated to buying Drums & Colours for the use of the Company to be recovered in the severall & respective County Courts where such person or persons shall reside



Public by action of Debt Bill plaint or Information wherein no Essoin Protection or wager of Law to be allowed. And for the better security of the arms of such persons so listed as afforesaid, be it further Enacted by the authority afforesaid by & with the advice & consent afforesaid, that no Sheriff or other officer shall by vertue of any precept whatsoever attach or execute any horse or arms so entred as afforesaid for any debt due or payable from the owner or owners thereof to any person or persons whatsoever under the penaltie of two thousand pounds of tobacco to be recovered as afforesaid to the use afforesaid, And further that the publick arms & ammunition lodged in the Millitary Officers hands of the severall & respective Counties be & remain in such officers hands for the time being for the use of the said several Counties to be by them kept well fixed & fit for service for which said armes & ammunition such officer or officers as afforesaid shall from time to time be accountable to the gennerall Assembly of this Province for the time being & to no other person or persons whatsoever anything herein contained to the contrary notwithstanding Provided this act nor any thing therein contained shall be construed reputed or taken to settle the armes & ammunition belonging to their Sacred Majest<sup>ies</sup> in the possession of any perticular person or persons whatsoever, but that such arms be & remain in the hands & possession of such persons as the Governour of this Province from time to time shall think fitt to appoint for the secureing of them to be by him commanded for their Majest<sup>ies</sup> service when & as often as occasion shall require any thing herein contained to the contrary notwithstanding.

Acts of An Act for the Regulating the Proceedings of the Provinciall Court  
Oct. 1695. and Lessening the charge of Evidences Attendance.  
ch. 18

Because it is found by experience that in Civill causes between man & man in this Province arrising & Tryable in the Provinciall Court the greatest part of the charge & Cost of such Action Suit or Tryall is by the long Attendance of the Evidences thereon Sumoned and the Occasion of such long Attendance is because it is not known what day of the Court any Cause shall come to Tryall and therefore all Evidences are obliged to attend from the first day of the Court till the Cause is Tryed which many times proves near the last day of the Court and that is occasioned for want of a settled Rule therein, for prevention whereof for the future and for settling certain dayes of Tryall for each cause in the Provinciall Court of this Province and other proceedings hereafter to be Tryed The Burgesses & Dellegates of this present Generall Assembly do pray that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty by & with the advice and consent of this present Generall Assembly & the Authority of the same that at the end of the Provinciall Court now holden for this Province at this Port of Annapolis and so at the end of every Provinciall Court of this Province hereafter during the



continuance of this Act one Justice of the Provinciaall Court such as shall be appoynted by the Provinciaall Court shall at the end of each & every Court the same day or day after unless Sunday be the day after and if so on the Munday following appoint the Attorneys and Clerk to meet him at the Court house where they are required & Enjoyed by the Tennor of this Act to call over the Docquett of all the Causes to be tryed at the Court following and to make a Cattalogg or Docquett of all the Causes Tryable at the Court following as aforesaid and therein apportion twenty Causes per day to be tryed by the said next Provinciaall Court in which this order and rule as to preference of the Countys shall be observed & kept that is to say first there shall be allowed and sett apart for Tryall of the Pleas of the Crown in Crimminall matters the first & second day of the Court and after the Crown Tryalls and Matters are over there shall be twenty Causes apportioned for each day till all the Causes tryable are heard & determed or otherwise ended determed or continued in which Cattalogg or Docquett all the Causes of Ann Arrundell County shall be first Tryed, and next to them the Causes of Baltemore County, and next to them the Causes of Calvert County, and next to them the Causes of Prince Georges County, and next to them the Causes of Charles County, and next to them the Causes of St. Maryes County, and next to them the Causes of Kent County, and next to them the Causes of Talbott County, and next to them the Causes of Cœcill County, and next to them the Causes of Dorchester County, and next to them the Causes of Somerset County, and if the Causes of one County amounts not to one dayes charge according to order for the day of Twenty Causes the number shall be made up by the Causes ariseing out of the next County, and if one County Causes amounts to more than twenty Causes according to the Charge & business of each day the remaining causes of the said County shall be assigned for the next dayes hearing and if not enough for the next day as aforesaid to be made up in the next County in degree as aforesaid. And when the Docquett of all the Causes Tryable the Court following in each Court as aforesaid by the Justice & Attorneys aforesaid is called over & Setled as aforesaid in the order aforesaid the said Justice & Attorneys shall all signe the same and the Clerke shall make out a Coppy of the same for every County in the Province, and shall signe it as a true Coppy and shall send to every Clerke of each County Court of this Province to affix and sett up at the Court house or other publick place that all persons in the County may take notice thereof and those concerned attend at the times appointed for the Tryall of Causes they are concerned with and to the end the pleas of the Crown especially in Crimminall matters may be duly attended by all persons Concerned Be it Enacted by the Authority aforesaid by and with the Advice & consent aforesaid that the Attorney Generall and Soliciter Generall of this Province for the time being shall duly attend at the Port of Annapolis where the Provinciaall Court is held

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the first day of the Court and shall give publique notice in what part of the Towne his or their Office is and what houres and when Evidences may attend him or them and shall duly attend at the houres appoynted for the taking the Examinacōn of Evidences in Crimminall matter and preparing the Indictments to which end the Evidences any wayes obliged to attend in any Crimminall matter are hereby obliged and required to give their Attendance on the first day of the Court and attend the Attorney Generall or Soliciter Generall and give their depositions or any account of their Evidence to the end the bills may be prepared & heard & determined by the end of the second day as aforesaid, and since the Inhabitants of this province his Maj<sup>ty</sup>s Loyall subjects & Leige people are Entitled by Law to the right and priviledges of other his Maj<sup>ty</sup>s subjects of England, To the end therefore that we may have & Injoy the said Rights & benefitts of subjects as aforesaid as farr as the present Constitution of this Province will admitt till we shall be more popelous & capable of better Methods. Be it Enacted that against every Court for Tryalls of matters of Fact by Jurys the Clerk shall send a Venire facias to the Sherriff of each County within this Province to summon two able and sufficient persons to make up a Grand Jury for the body of this Province and an other Venire facias for every County of this Province for three petty Jurymen to make two petty Juryes for Tryalls of matters of Fact between man & man of which Jurymen the Court shall compose the Grand Jury of the two men summoned out of every County and make up the number of a Grand Jury out of the bystanders if need require and no Grand Jury shall enquire of any Crime or Offence or make any presentments unless there be one Grand Jury man at least from every County of this Province or in default thereof the said Jury to be made up of the bystanders of the next adjacent County present And to the end that this act may be duly observed and kept by all persons therewith concerned Be it Enacted that the Secretary of this Province for the time being or his lawfull Deputy shall be allowed for such Cattalogue or Docquett of Causes to be sent to each County as aforesaid the sum of fifty pounds of Tobacco, and if all or any the Officers Ministers or Suiters any way within the perview of this Act do willfully or negligently Omitt or neglect the performance of their severall & respective dutys herein and herby Enjoyned and required they shall be lyable to suffer the paines & penaltys hereafter sett downe. That is to say the Justice so appointed in not calling the Attorneys & Clerk together and causing them to call over & settle the Cattalogue or Docquett for next Courts Tryalls for every default shall pay the sum of one thousand pounds of Tobacco, every Attorney and the Clerk not giving due attendance according to appointment of the Justice or Omitting his duty therein shall for every such default forfeit & pay the sum of 500<sup>ts</sup> of Tobacco. The Clerk in not drawing out a fair Docquett or Cattalogue of such causes as shall be assigned for Tryall

and sending to every County as aforesaid shall for every such default for every Cattalogg or Docquett so omitted to be sent as aforesaid forfitt & pay the sum of five hundred pounds of Tobacco and every Witness summoned in any Crimīnall matter that shall not duly attend the first day of the Court unless hindred by the Extremity of Wether or sickness to be adjudged by the Court as shall neglect to attend the Attorney Generall as aforesaid shall for every such default forfitt & pay the sum of 1000<sup>ts</sup> of Tobacco, the Attorney Generall & Solicitor Generall if they both neglect due attendance and giving due notice as aforesaid shall for every such default forfitt & pay the sum of 1200<sup>ts</sup> of Tobacco apeice, and the said Justice so appointed to see the Docquett called over and settled as aforesaid is hereby strictly enjoyned to keep account and make true report to the next Court if any Attorney or Clerk neglect their duty in any respect by this Act enjoyned that any one Delinquent may be proceeded against all which fines and forfeitures shall and may be recovered in his Maj<sup>ty</sup>s name his heires & Successors in any Court of Record within this Province by Action of Debt bill plaint or Information wherein no Essoyn protection or wager of Law shall be allowed and shall be paid to the publique Treasurers of this Province and shall be applyed to the purchasing a Library of books for the Use of the Provinciall Court Justices & Practicōners as shall be advised & considered by the said Justices & Practitioners, and that the Cause shall be deemed to arise out of the County where the Plaintiff lives. And be it Enacted by the Authority aforesaid that in all Causes hereafter to be tryed in the Provinciall Court of this Province, in case that the Jurys which are summoned by the severall & respective Sherriffs of the severall & respective Countys of this Province do not appeare upon the return of the severall Venire facias<sup>s</sup> that then and in every such case it shall & may be Lawfull to & for the Justices of the Provincial Court to award or order two persons of the bystanders being good & Lawfull men of the County where the matter of Fact was done to be putt into the pannell to make up each Jury, Provided allways and it is the true intent & meaning of this Act that all former proceedings & Tryalls at Law heretofore had in this Province shall be deemed and taken for good in law although the Jury that tryed the same or any of them were not of the same County where the fact was alledged. This Act to endure for three years or to the end of the next Generall Assembly which shall first happen.

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#### An Act for Appeals & Regulating Writts of Error.

Forasmuch as the Liberty of Appeals & Writts of Error from the Judgment of the Provinciall & County Courts of this Province is found to be of great use & benefitt to the good people thereof Be it therefore Enacted by the Kings most Excellent Maj<sup>ty</sup> by & with the Advice & Consent of this present Generall Assembly and the Authority of the same that no Executions upon any Judgments

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obtained either in Provinciall or County Courts or other inferiour Courts of Record within this Province shall be stayed or delayed or any Supersedeas upon such Judgment granted or issued forth upon any appeal or Writt of Error from any Such Court or Courts of Record as aforesaid to the Court before whome such appeal ought to be brought or before whome such Writt of Error ought to be heard tryed & determined unless such person or persons in whose name such appeale or writt of Error shall be made or brought as aforesaid or some other on his her or their behalf shall immediately upon making such appeal or suing out such Writt of Error as aforesaid enter into Bond with sufficient Sureties such as the Justices of the Court by whom Judgment shall be given as aforesaid, or the Keeper of the Seal for the time being to whom application shall be made for such Writt of Error as aforesaid shall approve of in double the sum recovered by such Judgment obtained as aforesaid with Condition that if the party appellat or party suing out such Writt of Error as aforesaid shall not persue the directions in this Act hereafter mentioned at the next Court ensuing before whome such appeal or Writt of Error shall be tryed as aforesaid and prosecute the same with effect, and also satisfie and pay to the said party his heires Executors Administrators or Assignes in case the said Judgments should be affirmed as well all & singular the Debts damages & Cost adjudged by the Court before whome such action from whose Judgment such Appeal shall be made or thereon a Writt of Error brought as aforesaid shall have been Originally tryed as also all Cost and damages that shall be awarded at the Court before whome such appeal or Writt of Error shall be heard tryed & determined as aforesaid then the said bond to be and remaine in full force & Vertue. And be it Enacted by the Authority aforesaid by & with the Advice and Consent aforesaid that no person or persons whatsoever against whome any Judgment shall be given in any Court within this Province wherein the Original debt or damages for which such Judgment shall be given as aforesaid shall not amount unto the severall & respective sums of money or Tobacco hereafter mentioned & exprest that is to say appeals or Writts of Error made or brought from the County Courts or other inferior Courts of Record to the Provinciall Courts wherein the debt or damages do not amount unto the sum of six pounds Sterling or twelve hundred pounds of Tobacco and from the Judgment of the Provinciall Court unto the Governour and Councill wherein the debt & damages shall not amount unto or exceed the sum of Fifty pounds sterling or ten Thousand pounds of Tobacco be allowed any Appeal or Writt of Error thereupon brought, but the Judgment of the Justices of the Court by whome such Judgment shall be given as aforesaid and thereupon entred shall be definitive for any such debt or damages as aforesaid any Law usage or Custom to the contrary notwithstanding.



And be it further Enacted by the Authority aforesaid by & with the advice & consent aforesaid that the method & rule for the prosecution of Appeals & Writts of Error shall for the future be in manner & form as hereafter mentioned & expressed That is to say the party appealing or suing out a Writt of Error as aforesaid shall procure a Coppy or Transcript of the full proceedings of the said Court from whence such appeal shall be made or against whose Judgment a Writt of Error shall be brought as aforesaid under the hand of the Clerk of the said Court and the Seal thereof and shall cause the same to be transmitted to the Court before whome such Appeal or Writt of Error is or ought to be heard tryed & determined as aforesaid and also in the same Court file in Writing according to the Rule of the said Court such Error in the said proceedings as he or they shall think fitt to assign or such causes or reasons as he or they had for making the said Appeal or suing out such Writt of Error as aforesaid Upon which Transcript the said Court to whom such appeal shall be made or before whome such Writt of Error shall be brought as aforesaid shall proceed to give Judgment. And be it Enacted by the Authority aforesaid, by & with the advice & consent aforesaid that all appeals made in manner aforesaid shall be admitted & allowed of by the Superior Court to whom such appeal shall be made as aforesaid in nature of a Writt of Error and that every Clerk of a Court shall at the time of the Sitting of that Court to which they respectively belong and when any appeal shall be demanded to enter a Memorandum of such demand as well in his or their Joyrnall as in the fair Records of the proceedings of such Court and that no Clerk of a Court do refuse or delay upon the request of any Appeal as aforesaid under his hand and the Seal of the said Court as aforesaid upon penalty to pay the respective damages which such appellant shall sustain by such refusall or delay as aforesaid the said party paying or securing to be paid such respective Clerk his just fees for the same according to Law.

And be it Enacted by the Authority aforesaid that no Officer within this Province shall hereafter for any Writt of Error Supersedeas or Scire facias demand any other fees then is hereafter mentioned (that is to say) for a Writt of Error to the Secretary fifty pounds of Tobacco, and to the Keeper of the Seal for the Seal thereof one hundred & twenty pounds of Tobacco, for a Supersedeas to the Secretary fifty pounds of Tobacco, and to the Keeper of the Seal one hundred & twenty pounds of tobacco, for a Scire facias to the Secretary fifty pounds of Tobacco, and to the Keeper of the Seal one hundred & twenty pounds of tobacco, any Law Usage or Custom to the Contrary notwithstanding. And be it Enacted by the Authority aforesaid by & with the advice & consent aforesaid that all Appeals or Writts of Error tryable before the Governour & Council if it so shall happen that the former Judgment given shall be by

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the said Governour & Councell affirmed such determination shall be final and without any further review unless it shall exceed the sum of Three hundred pounds Sterling or the sum of Sixty Thousand pounds of Tobacco according as his Maj<sup>ty</sup> and his late Royall Consort of Glorious memory by their Royall Comission & Instructions to his Excellency Francis Nicholson Esq<sup>re</sup> their Maj<sup>ties</sup> Captain Generall & Governour in Cheif of this Province have been gratusly pleased to appoint & direct then & in every such case to appeal to the King & Councell, And be it further Enacted by the Authority aforesaid that all & every person or persons that shall conceive him or themselves relievable in Equity from any Judgment given or obtained against him in the Provinciaall or County Court aforesaid shall exhibit his Bill and proceed in Chancery before any Appeal be entred or prosecuted before the Governour & Councell and not afterward, and that all such persons as conceive themselves agrieved by any decree in Chancery wherein the originall Debt or Damages shall amount to or exceed the sum of fifty pounds sterling or Ten Thousand pounds of Tobacco shall be at liberty to Exhibitt his prayer to the Governour and Councel to review & examine the same and that the Judgment Sentence or decree of the said Governour & Councel shall be final as aforesaid unless as aforesaid the Original Debt or Damages shall exceed three hundred pounds sterling or sixty Thousand pounds of Tobacco as aforesaid then & in every such case to appeal to the King & Councel as aforesaid, and that one Act of Assembly made at a Sessions of Assembly begun & held at the City of St. Maryes the twenty first day of September in the year of our Lord one Thousand six hundred ninety four Entituled an Act for appeals & regulating Writts of Error be & is hereby repealed, and that all appeals or Writts of Error already made & brought or hereafter to be made & brought to or before the Governo<sup>r</sup> & Councel shall & may be heard by the said Governo<sup>r</sup> & Councel out of Assembly time, any thing in the same writt or any other former Law or practice to the contrary notwithstanding. And for that it may so happen that the Governo<sup>r</sup> of this Province for the time being may hereafter be concerned in an appeal made or Writt of Error brought from the Provinciaall or County Courts to the Governour & Councell aforesaid or he otherwise indisposed or absent Be it therefore Enacted by the Authority aforesaid by and with the advice and Consent aforesaid that it shall & may be sufficient in every such case for the Councell only to hear & determine such matters of controversie whereof the first of the Councell in Comission being then present shall preside whose Judgment thereupon shall be definitive Except before excepted in as full & ample manner as though the said Governour were then actually present and presiding any thing before in this Act to the Contrary notwithstanding. This Act to endure for three years or to the end of the next Session of Assembly.

An Act for the Imposition of Four pence p Gallon on Liquors  
Imported into this Province.

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For raising money for building & repairing Court houses Free Schools Bridewells or such publique Services, It is by this present Generall Assembly thought that no greater expedient can be found then by assessing of an Imposition of four pence p gallon on all such Liquors as shall be Imported into this Province (Liquors from England onely excepted) Wherefore We your Maj<sup>ties</sup> most dutifull & Loyall Subjects the Deligates & Burgesses of this present Generall Assembly do humbly pray that it may be Enacted, And be it Enacted by the Kings most Excellent Maj<sup>ty</sup> by & with the advice & consent of this present Generall Assembly and by the Authority of the same that from & after the Publication hereof all Masters of Shippes & other Vessels that shall Import any Liquors into this Province shall pay unto his Maj<sup>ties</sup> Navall Officers for the time being for the use of this Province the sum of four pence p gallon for every gallon of Liquor imported into this Province as aforesaid. And be it Enacted by the Authority aforesaid by & with the advice & consent aforesaid that all Shippes or other Vessels which were built in this Province before the making of the former Act of Assembly Intituled an Act for the Imposition of four pence p Gallon on Liquors imported into this Province & which are wholly & solely belonging to the Inhabitants thereof shall pay to his Maj<sup>ties</sup> Navall Officers for the time being the sum of two pence p Gallon for every Gallon of Liquor that shall be by them Imported into this Province & no more (Liquors from England excepted) and all Shippes & other Vessels which have since the making of the aforesaid Act of Assembly or which shall at any time hereafter be built by and wholly & solely belong to the good people the Inhabitants of this Province shall be wholly exempted & acquitted from paying the Imposition of four pence p gallon aforesaid. And whereas this present Generall Assembly do find that the money of this Province is most or the greatest part thereof conveyed into Pensilvania to purchase beer rum & other Liquors to the great discouragement of Husbandry & Tillage in this Province, Be it likewise Enacted by the Authority aforesaid by & with the advice & consent aforesaid that all persons Importing beer or other Liquors from Pensilvania into this Province by Land (Except what is hereafter in this Act Excepted) shall pay unto his Majestys Navall Officers for the time being the sum of six pence p gallon for beer, and the sum of nine pence p gallon for rum wine & other Liquors Imported and brought into this Province by Land from Pensilvania aforesaid; Provided allways and it is hereafter declared that this Act nor any thing therein contained shall extend to the charging any Liquors whatsoever Imported by Water into this Province from Pensilvania or any other place with more then the Imposition of four pence p gallon hereby before imposed, all which dutys arrising by such Imposition of Liquors as aforesaid shall be collected & gath-

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ered by his Maj<sup>ty</sup>s Navall Officers in their severall & respective districts for which they shall have for their Sallery Eight pounds in the hundred and no more. And be it Enacted by the Authority aforesaid by & with the advice & consent aforesaid that no such Liquors upon which the duty aforesaid is assessed shall be Landed or putt on shore out of any Shipp or other Vessell which shall import the same or any other without due entry thereof made with the Officer hereby appointed (upon Oath of the person or persons Importing the said Liquors) for collecting of the same in the Port or place where the said Liquors shall happen to be Imported as aforesaid or before the duty due & payable for the same be satisfied or secured to be satisfied and Warrant for the Landing thereof be signed by the Officer for that purpose appointed upon pain & perrill that all such Liquors Landed & put on Shore contrary to the true intent & meaning of this Act shall be forfeited & lost or the full Value thereof one half to his Maj<sup>ty</sup> or his Success<sup>rs</sup> for the Use of the Free Schools of this Province the other half thereof to the Vestry of each parish where such goods shall be landed contrary to this Law, to be recovered in any of his Maj<sup>ty</sup>s Courts of Record within this Province by Action of Debt bill plaint or Information wherein no Essoyn Protection or Wager of Law to be allowed to be recovered of the proprietors true owners or Importers thereof; and for the better Encouragement of all Masters Merchants Owners & other persons whatsoever to make due entry & payment of the dutys rates & imposts raised by this Act in consideration of Leakage & all other damages the said Officer is hereby Authorized & Impowered to make allowance & abatement of twenty gallons in every hundred Gallons of all Liquors so to be duly entred as aforesaid; and the said Officers hereby appointed for collecting & gathering of the duty aforesaid shall & are hereby impowered upon suspicion of any fraud or deceit by any Importer Owner or Proprietor of any such Liquor in concealing & not making due entry of the same to go and enter on board any Shippes or Vessells or into any House or Warehouse on Shoar & from thence to seize bring on shore or secure all such Liquors for which the dutys aforesaid are not duly paid or secured to be paid as aforesaid and that the said Officers & their Deputys may freely stay and remaine on board untill all the goods are delivered and discharged out of the said Shipp or other Vessell; and all Officers as well Millitary as Civill of this Province and all Captains & Officers of Shipp are hereby required & enjoyned to be aiding & assisting to such Navall Officers in discharge of their duty aforesaid, for all which the said Officers and others assisting them shall be saved and kept harmless by Vertue of this Act.

And be it further Enacted by the authority aforesaid by & with the advice & consent aforesaid that all such Navall Officers shall give good security to the Governour of this Province for the time being and shall take their severall Oaths well & faithfully to gather the same



Impost so ariseing and a just & faithfull Account once a year thereof to give & render to the Publick Treasurers of this Province for the time being authorized for the receiving the said Impost, for which they shall have for their Sallary four pounds p Cent. who are to be answeareable and give good bond for the same to be accomptable & render an account to the next meeting of Assembly who shall have the ordering and disposing of the same except what shall be disposed of this present Generall Assembly. And be it further Enacted by the Authority aforesaid by and with the Advice and Consent aforesaid that every Master of a Shipp or other Vessell, at the time of his entry of such Ship or Vessell wherein such Liquor shall be Imported as aforesaid shall render upon Oath an account of the Quallity & Quantity of such Liquors as aforesaid and that the severall & respective Navall Officers within this Province for the time being shall at the time of their entring such Shipps and Vessells as aforesaid take good & Sufficient Security in his Maj<sup>ty</sup>s name for the payment of the Imposicōn aforesaid to such uses & purposes and in such manner & forme as by this Act is appointed; and that all persons Importing any Liquors by Land from Pensilvania and not making due entry thereof, or concealing the duty hereby imposed shall be subject to the same paines & penalties as for not making due entry or concealing any Liquors Imported into this Province by water as aforesaid And be it further Enacted by the Authority aforesaid, by & with the advice & consent aforesaid That one Act of Assembly of this Province heretofore made Intituled an Act for the Imposition of four pence per gallon on Liquors Imported into this Province, and every branch thereof be and is hereby repealed, This Act to endure for three years or to the end of the next Assembly which shall first happen.

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An Act Appoynting Rangers for the Defence of this Province.

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Forasmuch as it hath been represented to this present Generall Assembly that it would be of great service to this Province and to the good People the Inhabitants thereof to appoynt Persons to be Rangers for the better defence & Security of this Province from Foreign Enemies and from their Incursions, and that the said Rangers should yearly Range from the Falls of Patowmack unto the draughts of Susquehannock Rivers above the North side of Deer Creek. Be it Enacted by the Kings most Excellent Majesty by & with the Advice & Consent of this present Generall Assembly and the Authority of the same that it shall & may be lawfull to and for the Govern<sup>r</sup> of this Province for the time being to order and send forth sixteen persons willing to serve or otherwise such & so many to command out of the severall & respective Countys of the Province to be divided into two distinct partys that is to say six persons a Comānder & Lwetenant of each party who shall from the tenth day of Aprill next keep out & range from the Falls of Patowmack unto the first Draughts of Susquehannock Rivers above the North side

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of Deer Creek aforesaid until the fifteenth day of October next, and the said Rangers so as aforesaid to be appointed are hereby Enjoyed & required to Range with half partys weekly that is to say with four persons and so by turns for the ease of each other yearly and every year and their several posts & stations to be appointed unto them as in his Excellency the Govern<sup>r</sup> for the time being shall think fitt. In consideration of which services such persons so Ranging as aforesaid shall have & receive the severall & respective Sallarys following that is to say each person principally comāding as aforesaid shall be paid & allowed the sum of Eight hundred pounds of Tobacco p month for every month he shall be in service Each Lwtenant seven hundred pounds of tobacco p month for every month that he shall be in Service, and each private Centinel the sum of Six hundred pounds of tobacco p month for every month that he shall be in service aforesaid the said several & respective Salarys to be levied by the Govern<sup>r</sup> aforesaid & his Council on the Inhabitants of this Province by way of equal Assessment any Act or Custom to the contrary in any wise notwithstanding, Provided allwayes and it is the true intent and meaning hereof that this Act nor anything herein contained shall be construed or taken to limitt or debarr his Excellency the Governour for the time being from Levying or raising any greater force without the Advice & consent of the Freemen on any Emergent Occation and as often as there shall seem to him to be just cause and the Sallary payable to such forces so extraordinarily raised as aforesaid to Levy as aforesaid provided the same do not extend beyond or exceed the sum of sixty thousand pounds of tobacco by the year any thing in this Act contayned to the contrary thereof in any wise notwithstanding. And be it Enacted by the Authority aforesaid by & with the advice & consent aforesaid that all persons that shall at any time hereafter be prest by any person or persons whatsoever being thereunto Lawfully Authorized upon any Publique Service whatsoever or that have any accompts to put into the Publique for the future they prove their accompts before the Justices of the County Courts where they do dwell & reside and do send them down by one of the Deligates of the said County that then the said accompts shall be received & taken as sufficiently proved, and shall be allowed and paid to them out of the publick. And be it further Enacted by the Authority aforesaid by and with the Advice and consent aforesaid that the former Act of Assembly made at a Generall Assembly begun & held at City of St. Maryes the one & twentieth day of September in the year of our Lord one Thousand six hundred ninety four Intituled An Act for the Appoynting of Rangers for the defence of this Province is hereby repealed.

Acts of  
Oct. 1695,  
ch. 24

An Act Imposing the Duty of Ten p Centum Upon all European Commodities Exported out of this Province.

Be it Enacted by the Kings most Excellent Maj<sup>ty</sup> by & with the advice & Consent of this present Generall Assembly and by the

Authority of the same that from and after the end of this present General Assembly all goods wares & Merchandizes of the growth production or manufacture of Europe that shall be Imported into this Province and Exported againe out of the same shall before such Exportacōn be duly and fairely Entred with the Naval Officer within whose district the same shall happen to be Shipped of or Exported and shall pay to the said Naval Officer or give good caution for the payment of the sum of Tenn pounds for every hundred pounds Value of goods & Merchandizes according to the true & real Invoyce thereof sent out of England or in default thereof according to the real & Intrinsick Value thereof in this Province so to be Exported and so after the same rate for a greater or lesser quantity of goods Except that the goods wares & Merchandizes of Europe be the proper goods of any of the good People or Inhabitants of this Province and by them Exported out of this Province bona fide without fraud, Provided allwayes that any such person or persons Inhabitants of this Province that shall at any time hereafter Export out of this Province any of the goods Wares & Merchandizes of Europe do before his or their Shipping of such Comodeties aforesaid make Oath upon the Holy Evangelist that such goods & Merchandizes so by him or them Shipped off to be exported or to be any ways carried out of this Province either by Land or by Water are the proper goods Wares & Merchandizes of him or them that shall export or carry away the same, and that the same Oath shall be taken before the Naval Officer of such district as aforesaid who hath full power & Authority given unto him by this Act to take and exact the same in the form following; Viz: I, A. B., do swear that the severall goods & Merchandizes which I have now entred with the Naval Officer are by me intended to be Exported out of this Province upon my own proper Risque & adventure and that the same goods & Merchandizes are my own proper goods and that no other person or persons whatsoever have any Intrest or right in the same, but the same is by me entred & exported bona fide without fraud covin or any deceit but according to the true meaning & intention of the Act of Assembly in that behalf made so help me God; And be it Enacted by the Authority aforesaid by & with the Advice & consent aforesaid that all Masters of Shippes or other Vessells coming into this Province or into any of the Ports Rivers Creeks or harbours thereof with their said Shippes or other Vessells shall at his or their entry of such Shipp or Vessell with the Naval Officer of the district wherein such entry shall be made, make Oath before the said Naval Officer whether he hath Imported any goods wares or Merchandizes in his Ship or Vessell into this Province which are to be Exported out of this Province and which were Shipped on board his Shipp for Pensilvania or any other parts. And be it further Enacted by the Authority aforesaid by & with the advice & consent aforesaid that all & every person & persons whatsoever as well the Inhabitants of this Province as others that shall

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export or carry out of this Province either by Land or Water any goods Wares or Merchandizes of the Growth Production or Manufacture of Europe that shall be Imported into this Province and shall not before his or their Shipping off or carrying away of the same make a faire & legal entry thereof with the Navall Officer of such district where the same goods & Merchandizes shall happen to be shipped off or carried away out of this Province either by Land or by Water, bona fide without fraud according to the true meaning and Intention of this Act, and in case that such exporter or Exporters of the Wares & Commodities aforesaid are not any of the Inhabitants or good people of this Province shall pay or cause to be paid to his Sacred Majesty or his Successors to the uses in this present Act hereafter mentioned, the severall rates & duties before in this Act sett forth and expressed, That is to say the Sum of Ten pounds for the Value of every hundred pounds according to the true & reall Invoice thereof sent out of England and in default thereof according to the reall & Intrinsick Value thereof in this Province and so proportionably for a greater or lesser sume shall forfeit all such goods Wares & Merchandizes or the full Value thereof so Shipped off or carried away or which shall be attempted to be Shipped off or carried away either by Land or by Water out of this Province and not duly & fairly entred with the Naval Officer and the duty thereof paid according to the true meaning of this Act (except as before Excepted) the one half to our Sovereign Lord the King or his Successors for the use of this Province the other half thereof to the Informer or him or them that shall seize sue or informe for the same to be recovered in any Court of Record within this Province wherein no Essoyn Protection or Wager of Law to be allowed, Provided allwayes that it shall & may be Lawfull to all such Shippes or Vessells coming into & trading in Patowmuk River to transport their goods & merchandizes from one side of the said River to the other as they shall think fitt without paying the duty aforesaid in this Act contained and not else where, they making due entry thereof as aforesaid anything in this Act before mentioned to the contrary notwithstanding. And be it further Enacted by the Authority aforesaid by & with the advice & consent aforesaid that the several Naval Officers of the several & respective districts within this Province shall yearly & every year during the continuance of this Act account for & pay to the publick Treasurers of this Province for the time being all such sum or sums of money as shall be by him or them collected & gathered by force & Vertue of this Act and the said Treasurers are hereby enjoined to render their accounts thereof to the Generall Assembly of this Province to be by them disposed to such Uses ends & purposes for the publick good & utility of the same as to them shall seem meet and convenient. And be it further Enacted by the authority aforesaid by & with the advice & consent aforesaid that every Naval Officer that shall make such entrys as aforesaid shall for every such entry by him or



them made have demand & receive of such person or persons that shall require such entry to be made the sum of two shillings & six pence Sterling and no more, this Act to endure & continue for three years or to the end of the next General Assembly which shall first happen.

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### An Act Reviving the Temporary Laws of this Province.

Be it Enacted by the Kings most Excellent Ma<sup>ty</sup> by and with the advice & consent of this present Generall Assembly and the Authority of the same that one Act of Assembly of this Province made at a Generall Assembly of this Province begun & held at the City of St. Marys the tenth day of May in the year of our Lord 1692 Intituled An act for prohibiting trading with the Indians for any flesh dead or alive except Deer & Wildfowle, one other Act made at the same Assembly Intituled an Act for the more speedy bringing to tryall & suppressing Criminalls & Limiting their punishments for certain Offences when prosecuted in the County Courts, One other Act made at the same Assembly Intituled an Act relating to Negroes & Slaves; one other Act made at the same Assembly Intituled an act declaring what shall be done by the Sherriff ex officio, One other Act made at the same Assembly Intituled An Act for securing Merchantts & others Tobacco after they have received it; One other Act made at the same Assembly Intituled an Act for the Limitation of Officers Fees, One other Act made at the same Assembly Intituled an Act for the Limiting the County Clerks Fees within this Province, One other Act made at the same Assembly Intituled An Act for the ordering & regulating of the Militia of this Province for the better defence & security thereof; One other Act made at the same Assembly Intituled an Act ascertaining what damages shall be allowed upon protested Bills of Exchange; One other act made at the same Assembly Intituled an Act for the Incouragement of Tillage & raising Provisions for Advancement of Trade in this Province, One other Act made at the same Assembly Intituled an Act for the better Administration of Justice in the County Courts of this Province; one other Act made at the same Assembly Intituled an Act for the Amerciaments in the Provincial & County Courts; One other Act made at the same Assembly Intituled an Act against the Exportation of Wooll & old Iron; One other Act made at the same Assembly Intituled an Act prohibiting foreign Ingrossers; one other Act made at an Assembly begun & held at the City of St. Marys the one & twentieth day of September in the year of our Lord 1694 Intituled an Act for Settling a Revenue on their Ma<sup>ty</sup>s present Governour; One other Act made at the same Assembly Intituled an Act for speedy & easy Justice for small Debts; One other Act made at the same Assembly Intituled an Act to prevent the great Evill Occasioned by the Multiplicity of Horses within this Province; One

Public other Act made at the same Assembly Intituled an Act prohibiting the Inhabitants of this Province or any others from carrying  
 Record Office, Liguors to the Indian Towns or Cabbins; one other Act made at  
 London. an Assembly begun & held at the Port of Annapolis in Ann-  
 C. O. 5. Arundell County the Eight day of May in the year of our Lord 1695  
 Vol. 731, Intituled an Additional Act to the Act for the better Administration  
 Maryland. From Intituled an Additional Act to the Act for the better Administration  
 1694-1702. Acts of Justice in Probate of Wills, Granting of Administrations, recovering  
 of Legacies & securing of filiall Portions; One other Act made  
 at the same Assembly Intituled an Act restrayning the frequent As-  
 sembling of Negroes within this Province; one other Act made at the  
 same Assembly Intituled an Act for the raising a supply towards  
 the defraying the Publick charge of this Province; One other Act  
 made at the same Assembly Intituled An Additional Act for Regu-  
 lating the Militia of this Province, and an other Act of Assembly  
 Laying an Imposition on Negros and Servants Imported, And that  
 these several Acts of Assembly and every perticular clause & thing  
 therein contained shall be and are hereby revived and continued  
 to stand remain & be in full force & effect for & during three years or  
 to the end of the next General Assembly which shall first happen.

Acts of An Act for the payment of three hundred thirty three pounds six  
 Oct. 1695, shillings eight pence sterling towards the maintayning their Maj<sup>ty</sup>s  
 ch. 27 forces in New York.

Whereas her late Maj<sup>ty</sup> of Glorious memory by her mandate bearing date the      day of      in the year of our Lord One Thousand Six hundred ninety two, had given orders & Instructions to the several respective Governors of these their Ma<sup>ty</sup>s Plantacōns in America, for the raising a certain Quota of men out of every Province or Collony proportionable to the number of Inhabitants being & residing in each Province or Collony as aforesaid towards the defence of New York, by which Government pursuant to her said Ma<sup>ty</sup>s Orders & directions as aforesaid the said quota of men have been demanded for the defence thereof, or a certain fund of money proportionable with the rest of their Majestys Plantacōns towards the maintaining of their men in pay & service for the defence & security thereof as aforesaid, which proposall being taken into serious consideracōn by this present Generall Assembly and well weighing our Inability of sending any force out of this Province it being thinn seated without any fortifications and as open to the Enemy as any other of his Maj<sup>ty</sup>s Plantacōns here in America, Besides which the sending the said Quota would occasion a great many Freemen to leave this their Maj<sup>ty</sup>s Province as the very report of it to be done hath already occasioned by computacōn the number of Four hundred men, every one of which by making Tobacco bringeth to his Maj<sup>ty</sup>s revenue no less then tenn pounds sterling a man and so consequently a great lessening of his Maj<sup>ty</sup>s revenue and the depopulating in time this his Maj<sup>ty</sup>s Province aforesaid. Yet willing withall to the utmost of our poore

capacities to signalize our duty and Loyalty to our King & Countrey not only with our lives & fortunes to defend this his Maj<sup>ty</sup>s Province of Maryland but to contribute so farr as the Indigency of our fortunes will admitt of towards the Defence of any other his Maj<sup>ty</sup>s Plantacōns distressed or necessitated, although it doth appear that the Colony of New York aforesaid is under no such distress or necessity pursuant to which there hath already been paid & deposited One hundred ninety nine pounds eighteen shillings & one penny sterling by the Treasurer of this Province for the Western side, so that there remains of the fund demanded in Lieu of the Quota of Men the sum of one hundred thirty three pounds eight shillings and seven pence sterling. Be it therefore Enacted by the King's most Excellent Maj<sup>ty</sup> by & with the advice & consent of this present General Assembly and the Authority of the same, that as well the said sum of one hundred ninety nine pounds Eighteen shillings & one penny sterling already deposited into the hands of the Governor of that Colony as the Residue of the said fund being the sum of one hundred thirty three pounds eight shillings & seven pence as aforesaid hereafter to be paid & deposited in Lieu of the Quota of men as aforesaid be paid & disbursd towards the maintaining of his Maj<sup>ty</sup>s Forces in Arms for the defence & security of his Maj<sup>ty</sup>s interest in the Collony aforesaid and no otherwise any thing suggested, intended or proposed to the Contrary Notwithstanding.

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An Act for payment & assessing of the Publick Charge of this  
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Whereas there hath been laid out & expended by several of the Inhabitants of this Province Eight hundred ninety four Thousand five hundred thirty seven pounds of Tobacco for the necessary expences and charges of this Province which hath been examined Stated & allowed by this present General Assembly to the intent therefore that the same may be satisfied & paid to those persons to whom the same is due;

Be it Enacted by the Kings most Excellent Maj<sup>ty</sup> by & with the advice & consent of this present Generall Assembly and by the Authority of the same that the said sum of Eight Hundred ninety four Thousand five hundred thirty seven pounds of Tobacco be paid in manner & form as is hereafter expressed by an equal Assessment upon the person or Estates of the Inhabitants of this Province and be paid to the several persons to whome the same is due as aforesaid any Law Statute custom or useage to the contrary thereof notwithstanding. That is to say to the hono<sup>ble</sup> Nich<sup>o</sup> Greenberry esq<sup>re</sup> Three Thousand one hundred & Eighty pounds of Tobacco, To Rich<sup>d</sup> Beard One Thousand pounds of Tobacco, To W<sup>m</sup> Josephs Esq<sup>re</sup> two hundred pounds of Tobacco, To Garrett Vansweringen Two Thousand three hundred & ten, To Garrett Vansweringen more four Thousand three hundred thirty four, To

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Anne Duckworth Three Thousand nine hundred sixty three, To James Brown six Thousand three hundred & four, To James Harper Twelve Thousand, To Cap<sup>t</sup> Thomas Ennalls Five Thousand, to John Freeman One Thousand, To M<sup>r</sup> W<sup>m</sup> Bladen Three Thousand eight hundred, To Garrett Vansweringen Eight hundred, To M<sup>r</sup> James Frisby Two Thousand four hundred fifty five, To James Cullen Three Thousand four hundred & eighteen, To M<sup>r</sup> Jn<sup>o</sup> Wattson Eighteen hundred & forty, To Stephen Blatchford Three Thousand four hundred & fifty, To Nich<sup>o</sup> Crouch Twelve hundred, To Joshua Doyn by assignment of W<sup>m</sup> Cooper six hundred, To S<sup>r</sup> Thomas Lawrence Twelve hundred, To Maj<sup>r</sup> Edward Dorsey sixteen Thousand two hundred & fifty, To W<sup>m</sup> Brown One Thousand, To John Dorsey sixteen hundred, To Sam<sup>l</sup> Howard fourteen hundred pounds of Tobacco, To Cap<sup>t</sup> Sam<sup>l</sup> Phillips Nine hundred, To Col<sup>o</sup> Henry Ridgley Three Thousand ninety seven, To W<sup>m</sup> Maccoven & three partners two Thousand four hundred, To Rachel Proctor nine hundred, To Lancelott Todd six hundred, To Edward Snelling three Thousand, To Rachell Proctor Eight hundred, To Col<sup>o</sup> Charles Hutchings five hundred forty Eight, To John Claxton four hundred, To W<sup>m</sup> Carter Three Thousand, To Cap<sup>t</sup> W<sup>m</sup> Holland Three Thousand, To Jacob Lookerman fourteen hundred & forty, To M<sup>r</sup> Rob<sup>t</sup> Mason Eight Thousand Nine hundred & eighty, To Clayborn Lomax Two Thousand four hundred, To James Brown Two Thousand forty five, To W<sup>m</sup> Dent for his own Attendance & Assignment by Henry Hawkins & James Smallwood in Feb<sup>ry</sup> Assembly Two Thousand Two hundred & twenty, To W<sup>m</sup> Dent by assignment of W<sup>m</sup> Hutchinson four hundred & sixty. To W<sup>m</sup> Dent by Assignment of Henry Hawkins & James Smallwood in May Assembly and for himselfe six Thousand pounds of Tobacco, To George Lingan Three hundred, To M<sup>r</sup> Thomas Tasker five hundred & Eighty, to M<sup>r</sup> Thomas Greenfield nineteene hundred & Eighty, to George Lingan nineteen hundred & Eighty, To Fran: Hutchins nineteen hundred & Eighty, To M<sup>r</sup> Tho: Tasker nineteen hundred & Eighty, To M<sup>r</sup> Thomas Smythson Two Thousand Two hundred & Eighty, To M<sup>r</sup> Nich<sup>o</sup> Low Two Thousand Two hundred & Eighty, To Maj<sup>r</sup> Jn<sup>o</sup> Hammond four thousand Two hundred & sixty, to M<sup>r</sup> Edward Boothby Four Thousand four hundred & sixty, To M<sup>r</sup> Fran: Watkins Three Thousand & twenty, To Cap<sup>t</sup> James Maxwell Three thousand & twenty, To M<sup>r</sup> Jn<sup>o</sup> Ferry Three Thousand & twenty, to M<sup>r</sup> Jn<sup>o</sup> Bosman Two Thousand five hundred & Eighty, To M<sup>r</sup> Thomas Dixon Two Thousand one hundred & sixty, To Cap<sup>t</sup> Thomas Waughob Three Thousand Three hundred & forty, To M<sup>r</sup> Phillip Clark Three Thousand Three hundred & forty, To M<sup>r</sup> John Wattson Two Thousand five hundred & Eighty, To M<sup>r</sup> Henry Hooper Two Thousand one hundred & sixty, To Maj<sup>r</sup> Thomas Ennalls Nine hundred, To M<sup>r</sup> Thomas Hicks nine hundred, To M<sup>r</sup> Kenelm Chyseldyn Two Thousand Eight hundred & sixty, To M<sup>r</sup> Kenelm Chyseldon



Four hundred & Eighty, And to Maj<sup>r</sup> Jn<sup>o</sup> Thompson Three thousand & twenty pounds of Tobacco, To Col<sup>o</sup> Casparus Harman Three Thousand & Twenty, To M<sup>r</sup> W<sup>m</sup> Frisby Two Thousand Seven hundred, To M<sup>r</sup> Jn<sup>o</sup> Hynson Two Thousand seven hundred, To M<sup>r</sup> Hans Hanson Two Thousand Seven hundred, To M<sup>r</sup> Thomas Smyth Two Thousand seven hundred, To James Barker Doore keeper Two Thousand, To Jn<sup>o</sup> Wincoll six hundred & sixty, To John Newton Drummer twelve hundred, To Jn<sup>o</sup> Larkin Seven Thousand twenty six, To W<sup>m</sup> Price of St. Marys County four hundred & fifty, To Thomas Blake Twelve hundred, To M<sup>rs</sup> Rachel Procter five hundred seventy Eight, To Mathew Scarborough Two Thousand & twenty, To Cap<sup>t</sup> Rich<sup>d</sup> Hill four Thousand one hundred & twenty, To Cap<sup>t</sup> W<sup>m</sup> Holland more six hundred seventy two, To M<sup>r</sup> W<sup>m</sup> Hatton Sixteen hundred & Eighty, To M<sup>r</sup> W<sup>m</sup> Hatton more Eight hundred & Eighty, To Kent County fourteen hundred & forty, To Col<sup>o</sup> John Hynson Two Thousand, To John Murrough Two Thousand, To M<sup>r</sup> Peregrine Coney Two Thousand, To M<sup>r</sup> John Lyllingston Two Thousand pounds of Tobacco, To M<sup>r</sup> Jn<sup>o</sup> Mall four hundred, To Henry Mathews of Ann-Arrundell County Twelve hundred, To M<sup>r</sup> W<sup>m</sup> Parker Three Thousand, To Joseph Edloe Two Thousand One hundred ninety three, To M<sup>r</sup> W<sup>m</sup> Burton Twelve hundred Twenty four, To S<sup>r</sup> Thomas Lawrence One Thousand & Thirty, To S<sup>r</sup> Thomas Lawrence Two Thousand Eight hundred ninety two, To Rich<sup>d</sup> Jones Two Thousand five hundred, To W<sup>m</sup> Brown Eight hundred, To Edw<sup>d</sup> Snelling Two Thousand five hundred, To M<sup>r</sup> Thomas Taskar four Thousand four hundred twenty four, To M<sup>r</sup> George Plater four hundred, To Rich<sup>d</sup> Shirley Eight hundred, To Garrett Vansweringen seven hundred ninety five, To Maj<sup>r</sup> Rob<sup>t</sup> King five thousand six hundred & twenty, To M<sup>r</sup> Jn<sup>o</sup> Carville two hundred & four, To M<sup>r</sup> Job Eveans six hundred, To M<sup>r</sup> Rob<sup>t</sup> Mason Two Thousand four hundred & forty, To Col<sup>o</sup> David Brown six Thousand nine hundred thirty nine, Col<sup>o</sup> Cha: Hutchings Seven Thousand four hundred & nineteen, To M<sup>r</sup> Thomas Brooks Three thousand Eight hundred & sixty, To Col<sup>o</sup> John Coats Three Thousand five hundred and Eighty, To Col<sup>o</sup> John Addison four thousand two hundred, To M<sup>r</sup> James Frisby Twelve hundred & forty, To Col<sup>o</sup> Geo: Robotham Three thousand four hundred & Eighty, To S<sup>r</sup> Thomas Lawrence Thirteen hundred & fifty, To Col<sup>o</sup> Nich<sup>o</sup> Greenberry Two Thousand seven hundred, To M<sup>r</sup> Henry Denton the Assigne of M<sup>r</sup> Edw<sup>d</sup> Randolph four Thousand five hundred, To W<sup>m</sup> Maccoven one Thousand, To M<sup>r</sup> Thomas Grunwin Eight hundred, To Henry Denton Eight hundred, and to Kent County seven hundred & twenty pounds of Tobacco, To M<sup>r</sup> Thomas Tench Three Thousand seven hundred, To M<sup>r</sup> Jn<sup>o</sup> Pollard four Thousand Two hundred & forty, To S<sup>r</sup> Thomas Lawrence four Thousand nine hundred & sixty, To M<sup>r</sup> John Haslewood Eight hundred & thirty, To M<sup>r</sup> W<sup>m</sup> Hatton Three Thousand & eighty, To M<sup>r</sup> Rob<sup>t</sup> Cass Tenn

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Thousand seven hundred & thirty, To W<sup>m</sup> Goldthorp four hundred, To Maj<sup>r</sup> W<sup>m</sup> Whittington Two Thousand Three hundred & Eighty, To M<sup>r</sup> Sam<sup>l</sup> Withers Seven hundred & twenty, To Colo<sup>l</sup> Casparus Harman Twelve hundred, to M<sup>r</sup> Gilbert Livesley Ten Thousand four hundred & sixty, To Thomas Witchaly four hundred, To M<sup>r</sup> Edward Jones Three Thousand Three hundred forty six, To Col<sup>o</sup> Henry Jowles Eleven Thousand & seven hundred, to Daniel Edge three hundred, To Maj<sup>r</sup> John Hammond nineteen hundred & eighty, To Cap<sup>t</sup> John Bean Two Thousand six hundred and forty, To M<sup>r</sup> Rob<sup>t</sup> Smyth Eight Thousand Seven hundred and forty, To Cap<sup>t</sup> W<sup>m</sup> Holland Two Thousand one hundred & forty, To Cap<sup>t</sup> W<sup>m</sup> Holland Eleven Thousand Seven hundred & Eighty, To Richard Kilburne four hundred, To Charles Kilburne four hundred, To M<sup>r</sup> William Cooper Eight hundred, To M<sup>r</sup> Tho<sup>s</sup> Bland four hundred, To W<sup>m</sup> Gibbins four hundred, To John Newton Twelve hundred, To M<sup>r</sup> James Sanders Two thousand four hundred & twenty, To W<sup>m</sup> Layton Three hundred, To Cap<sup>t</sup> W<sup>m</sup> Holland four hundred, To M<sup>r</sup> Henry Low Three Thousand & forty, To Col<sup>o</sup> Charles Hutchins Two Thousand four hundred, To John Oldton five Thousand six hundred, To Tobias Stanborough four Thousand two hundred, To Thomas Roberts four Thousand two hundred, To Josiah Bridges Four Thousand two hundred, To Henry King four Thousand two hundred, To Dan<sup>l</sup> Welch four Thousand two hundred, To John Oldton more four Thousand two hundred, To Rich<sup>d</sup> Brightwell five Thousand six hundred, To James Whaply four Thousand two hundred, To John Doughton four Thousand two hundred, To James Roas four Thousand two hundred, To Francis Warner four thousand two hundred, To Thomas Orton four Thousand two hundred, and to Michaell Ashforth four Thousand two hundred pounds of Tobacco, To William Sturmev Eight hundred, To Major Dorsey four Thousand, to M<sup>r</sup> W<sup>m</sup> Bladen four Thousand, To M<sup>r</sup> W<sup>m</sup> Cooper twelve hundred, To M<sup>r</sup> Christo. Grigory twelve hundred, To M<sup>r</sup> Rob<sup>t</sup> Goldsborough two Thousand, To M<sup>r</sup> Clayborn Lomax sixteen hundred, To Cap<sup>t</sup> Rich<sup>d</sup> Hill Thirteen Thousand, To M<sup>r</sup> Henry Denton five Thousand, To M<sup>r</sup> Will<sup>m</sup> Bladen six Thousand, To Col<sup>o</sup> Henry Ridgley one hundred, To Cap<sup>t</sup> Thomas Waghob Two Thousand, To M<sup>r</sup> John West four hundred, To Edward Snelling Three hundred thirty two, To M<sup>r</sup> Thomas Dixon two hundred & eighty, To M<sup>r</sup> W<sup>m</sup> Hopkins five hundred & sixty, To M<sup>r</sup> W<sup>m</sup> Guyther six hundred seventy five, To M<sup>r</sup> John Low six hundred, To W<sup>m</sup> Twisden ninety, To M<sup>r</sup> W<sup>m</sup> Hopkins four hundred, To M<sup>r</sup> Orlando Greenslade four hundred, To M<sup>r</sup> John Cross Twelve Thousand, To Col<sup>o</sup> Henry Ridgley six hundred, To M<sup>rs</sup> Rachel Procter Thirteen hundred, To M<sup>r</sup> Robert Smyth seven hundred & twenty, To Maj<sup>r</sup> Tho<sup>s</sup> Smythson fourteen hundred & forty, To Col<sup>o</sup> Henry Coursey & M<sup>r</sup> Nich<sup>o</sup> Low each three hundred & sixty, To M<sup>r</sup> John Ferry seven hundred & twenty, To Garrett Vansweringen nine hundred & seventy,

To Garrett Vansweringen four hundred, To M<sup>r</sup> John Wattson Three Thousand, To M<sup>r</sup> Kenelm Chysledyn Three Thousand, To M<sup>r</sup> Thomas Wagheb Three Thousand, To M<sup>r</sup> Rob<sup>t</sup> Mason Two Thousand five hundred & twenty, To M<sup>r</sup> Rob<sup>t</sup> Mason four hundred & eighty, To M<sup>r</sup> Phillip Clark Three Thousand, To Cap<sup>t</sup> John Bane three Thousand, To Maj<sup>r</sup> James Smallwood Two Thousand Eight hundred & forty, To M<sup>r</sup> Henry Hawkins Two Thousand Eight hundred & forty, To Cap<sup>t</sup> W<sup>m</sup> Dent, Two Thousand Eight hundred & forty, To M<sup>r</sup> W<sup>m</sup> Hutchingson thirteen hundred, To Major Thomas Smyth Two Thousand six hundred & eighty, To Col<sup>o</sup> Hauns Hanson Two Thousand six hundred & eighty, To Col<sup>o</sup> John Hynson fifteen hundred & sixty, To Major John Hammond Two Thousand five hundred & twenty, To Major Edw<sup>d</sup> Dorsey Two Thousand five hundred & twenty, To Cap<sup>t</sup> Rich<sup>d</sup> Hill Two Thousand five hundred & twenty, To M<sup>r</sup> James Sanders Two Thousand one hundred, To M<sup>r</sup> Thomas Greenfield two Thousand six hundred & Eighty, To M<sup>r</sup> George Lingan Two Thousand six hundred & Eighty, To M<sup>r</sup> Thomas Taskar Two Thousand six hundred & Eighty, To M<sup>r</sup> Edward Boothby Two Thousand Eight hundred & forty, To M<sup>r</sup> Fran: Watkins Two Thousand Eight hundred & forty, To Maj<sup>r</sup> James Maxwell Two Thousand Eight hundred & forty, To John Ferry Two Thousand Eight hundred & forty, To M<sup>r</sup> Rob<sup>t</sup> Smyth fourteen hundred & forty, To Maj<sup>r</sup> Thomas Smythson Two Thousand Eight hundred & forty, To M<sup>r</sup> Tho<sup>s</sup> Dixon Two Thousand Seven hundred & twenty, To M<sup>r</sup> John Bosman Two Thousand Seven hundred & twenty, To M<sup>r</sup> Math<sup>w</sup> Scarborough nineteen hundred & sixty, To M<sup>r</sup> Math<sup>w</sup> Scarborough four hundred & Eighty, To M<sup>r</sup> John Pollard Two Thousand Seven hundred & twenty, To M<sup>r</sup> Thomas Ennalls Seventeen hundred & forty, To Col<sup>o</sup> Casparus Herman fourteen hundred & forty, To Col<sup>o</sup> W<sup>m</sup> Peirie Two Thousand Eight hundred & forty, To Col<sup>o</sup> S<sup>t</sup> Leger Codd Two Thousand five hundred & twenty, To the said Col<sup>o</sup> Codd Three hundred & twenty, To Maj<sup>r</sup> John Thompson two Thousand Seven hundred, To Nich<sup>o</sup> Sporne five hundred, To Henry Carter two hundred, To M<sup>r</sup> Edw<sup>d</sup> Jones Two Thousand, To M<sup>rs</sup> Rachel Procter Seventeen hundred Thirty seven, To M<sup>r</sup> William Hatton Two Thousand, To Col<sup>o</sup> Henry Jowles Two Thousand Eight hundred & Seventy, To Col<sup>o</sup> Jn<sup>o</sup> Addison Two Thousand Eight hundred & seventy, To Col<sup>o</sup> Nich<sup>o</sup> Greenberry Two Thousand Seven hundred & Eighty, To Col<sup>o</sup> Charles Hutchins Two Thousand Eight hundred & Eighty, To Col<sup>o</sup> David Brown Two Thousand Eight hundred & Eighty, To Col<sup>o</sup> Jn<sup>o</sup> Coats two Thousand Eight hundred and Seventy, To M<sup>r</sup> Thomas Brooks Two Thousand seven hundred & tenn, To M<sup>r</sup> James Frisby Three Thousand two hundred & sixty, To M<sup>r</sup> Henry Denton six Thousand, To M<sup>r</sup> Thomas Davis a Minister of the Gospel three Thousand, To Clayborn Lomax one Thousand, To M<sup>r</sup> Thomas Tasker four Thousand, To Orlando Greenslade six hundred, To Maj<sup>r</sup> Dorsey seven

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Public hundred twenty Eight, To M<sup>rs</sup> Hester Grose Twelve hundred & ninety, To M<sup>rs</sup> Grose three Thousand one hundred & twenty, To Cap<sup>t</sup> Ric<sup>d</sup> Hill five Thousand, To M<sup>r</sup> Jn<sup>o</sup> Larkin Two hundred & fourteen, To Col<sup>o</sup> Herman ninety six Thousand, To Dan<sup>l</sup> Camin nine hundred, To M<sup>r</sup> Henry Denton twenty, To James Brown One Thousand Sixty seven, To M<sup>r</sup> Kenelm Chesledyn sixteene hundred & Eighty, To Maj<sup>r</sup> Edw<sup>d</sup> Dorsey Three Thousand seven hundred & Eighty, To Major Thomas Ennalls Two Thousand one hundred & sixty, To M<sup>r</sup> W<sup>m</sup> Hutchinson fourteen hundred & forty, To Garrett Vansweringen One Thousand forty three, To Col<sup>o</sup> Peirie six hundred & forty, To Garrett Vansweringen nine hundred sixty nine, To M<sup>r</sup> Jn<sup>o</sup> Wattson two hundred & Eighty, to Cap<sup>t</sup> Thomas Waughob two hundred & eighty, To M<sup>r</sup> Kenelm Chesseldyn two hundred & Eighty, To M<sup>r</sup> Robert Mason two hundred & Eighty, To M<sup>r</sup> Phillip Clark two hundred & Eighty, To M<sup>r</sup> Thomas Greenfield Two hundred & Eighty, To George Ligan two hundred & Eighty, To M<sup>r</sup> Fran: Hutchings two hundred & Eighty, To M<sup>r</sup> Tho: Taskar two hundred & Eighty, To Clayborne Lomax two Thousand, To Cap<sup>t</sup> W<sup>m</sup> Dent two hundred & Eighty, To Maj<sup>r</sup> Thomas Smythson one hundred & forty, To M<sup>r</sup> Nich<sup>o</sup> Low one hundred & forty, To Major John Hammond one hundred & forty, To M<sup>r</sup> Edward Boothby one hundred & forty, To Maj<sup>r</sup> James Maxwell one hundred & forty, To M<sup>r</sup> Fran: Wattkins one hundred & forty, To M<sup>r</sup> John Ferry one hundred & forty, To M<sup>r</sup> Henry Hooper one hundred & forty, To Maj<sup>r</sup> John Thompson one hundred & forty, To M<sup>r</sup> Hauns Hanson One hundred & forty, To Maj<sup>r</sup> Thomas Smyth One hundred & forty, To M<sup>r</sup> Mathew Scarborough one hundred & forty, To Cap<sup>t</sup> Richard Hill One hundred & forty, To M<sup>r</sup> W<sup>m</sup> Bladen five Thousand, To M<sup>r</sup> Henry Denton five Thousand, To M<sup>r</sup> Robert Goldsborough Two Thousand, To M<sup>r</sup> John West two Thousand, To Daniel Suilivant four hundred, To Thomas Williams ninety, To Col<sup>o</sup> W<sup>m</sup> Peirie seven hundred & forty, To the same Colonel Peirie Two Thousand Eight hundred & forty, To M<sup>r</sup> W<sup>m</sup> Holland one Thousand, To Garret Vansweringen Eight hundred, To Stephen Blatchford Eight hundred, To M<sup>r</sup> Tho: Blackwell Two Thousand five hundred, To the same Eighty four, to Roger Woolford Seven hundred & twenty, To Garrett Vansweringen Eight hundred, To James Browne Three hundred fifty five, To M<sup>r</sup> Jn<sup>o</sup> West four hundred, To M<sup>rs</sup> Rachel Procter two hundred twenty six, To the same fourteen hundred ninety five, To Garrett Vansweringen four hundred ninety five and to James Baker Twelve hundred pounds of Tobacco.

And be it further Enacted by the King's most Excellent Maj<sup>ty</sup> by and with the advice & consent of this present Generall Assembly and the Authority of the same, that the aforesaid sum of Tobacco amounting in the whole to the Sum of Eight hundred ninety four Thousand five hundred thirty seven pounds of Tobacco be levied and assessed by an Equall Assessment upon the bodys or the Estates of the Inhab-

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itants Taxables of this Province and paid to the severall persons to whome the same is due as aforesaid, any Law, Statute, Usage or Custom to the Contrary thereof Notwithstanding.

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An Act appointing the Justices of each respective County within this Province & Vestries of each respective Parrish to returne the County levie & proceedings to the Govern<sup>r</sup> & Council yearley.

Acts  
of  
April, 1696,  
ch. 2  
(Repealed  
by 1700,  
ch. 8)

Be it Enacted by the Kings most Excellent Majesty by & with the advice & consent of this present Gennerall Assembly & the Authority of the same that the severall & respective Justices of each respective County Court within this Province doe yearly & every year dureing the continuance of this Act return or cause to be returned to the Governour & Councill for the time being an account of the County Levy within thirty dayes after the same is by them leavied and assessed under the penalty of five hundred pounds of Tobacco each Justice so leveieng the same & that the several & respective Vestrymen of this Province doe likewise once a yeare return to the Governour & Councill for the time being a true & perfect accompt of all their proceedings in their Vestryes relateing to their severall & respective receipts payments & disbursements by them made under the penalty of two hundred pounds of Tobacco each Vestryman present & that the said accounts as well from the said Justices as from the severall & respective Vestryes after perusal by the Governour & Councill be filed in the high Court of Chancery that all persons may have recourse thereto, & that the Register or his Deputy file the same ex officio, which fines & forfeitures to be & remaine one halfe thereof to our Sovereigne Lord the King his heires & Successors & the other halfe thereof to him or them that shall sue for the same to be recovered in the Provinciaall Court of this Province by action of debt, bill, plaint or Informacion wherein no Essoin protection or wager of law to be allowed any law statute useage or custome to the contrary thereof in any wise notwithstanding, This Act to endure for three yeares or to the end of the next Gennerall Assembly which shall first happen.

An Act of Assembly to prevent people driving away horses into the woods.

Acts of  
April, 1696,  
ch. 3  
(Repealed  
by 1701,  
ch. 8)

Whereas severall evil minded people within this Province have made it their practice to come upon other mens Plantacōns & drive away their Stocks of Horses & Catle into remote parts of the woods to the great prejudice of the severall Inhabitants of this Province, for preventing of which evil for the future Be it Enacted by the Kings most Excellent Majesty by & with the advice & consent of this present Gennerall Assembly & the Authority of the same that no person or persons whatsoever whether Inhabitants of this Province or Strangers shall presume upon any pretence whatsoever to come

Public upon any person or persons Plantacōn or plantacōns to drive away  
 Record any Stock of Cattle or horses unless it be their own proper goods &  
 Office, Chatles without lycense first had & obtained from the true owner  
 London. or possessor of such lands or plantacōns under the penalty of five  
 C. O. 5. thousand pounds of Tobacco, for every person soe offending being  
 Vol. 731, thereof legally convict to be recovered in the County Court where  
 Maryland. such offence shall be committed by action of debt, bill, plaint or Inform-  
 From acōn wherein no Essoyne protection or wager of law to be allowed,  
 1694-1702. one halfe thereof to the use of the vestry of such Parrishes wherein  
 Acts such offence shall be committed & the other halfe to the informer or  
 him or them that shall sue for the same & in case such persons soe  
 offending being legally convict thereof & not having sufficient goods  
 & Chatles wherewith to pay the said sum of five thousand pounds  
 of Tobacco that then & in such case the said offender or offenders  
 shall have & receive such corporall punishment as the Court before  
 whome he or they shall be legally convicted shall think fitt to inflict  
 not extending to life & member. And be it further Enacted by the  
 Authority aforesaid, by & with the advice & consent aforesaid, that  
 no person or persons whatsoever shall dureing the continuance of this  
 act range in the woods after wilde horses or Cattle unless lycensed by  
 the Governour of this Province for the time being under the penalty  
 herein before in this Act mencōned to be recovered as is herein before  
 expressed. This Act to endure for three years or to the end of the  
 next Gennerall Assembly which shall first happen.

Acts of  
 April, 1696,  
 ch. 4

An Act for Reviveing the Temporary laws of this Province.

Be it Enacted by the Kings most Excellent Majesty by & with the  
 advice & consent of this present Gennerall Assembly & the Authority  
 of the same that one act of Assembly of this Province made at a  
 Session of Assembly begun & held at the City of St. Maryes the  
 tenth day of May in the year of our Lord 1692 Intituled an Act pro-  
 hibiting Trade with the Indians for any flesh dead or alive (except  
 deer & wilde fowle), One other Act made at the same Assembly in-  
 tituled an act for the more speedy bringing to tryall & suppressing  
 criminals & limmitting their punishments for certaine offences when  
 prosecuted in the County Courts, One other act made at the same  
 Assembly Intituled an Act relateing to Servants & Slaves, One  
 other act made at the same Assembly intituled an Act relateing to  
 Negroes & Slaves, One other act made at the same Assembly in-  
 tituled an act declareing what shall be done by the Sheriff ex officio,  
 one other act made at the same Assembly intituled an act for secureing  
 Merchants & others Tobacco after they have received it, One other  
 Act made at the same Assembly intituled an act for limmitation of  
 officers fees, One other Act made at the same Assembly Intituled an  
 Act limmitting the County Clarkes fees within this Province, One  
 other Act made at the same Assembly intituled an Act for the order-  
 ing & regulateing the Militia of this Province for the better defence

& Security thereof, One other Act made at the same Assembly intituled an Act ascertaining what damages shall be allowed upon protested Bills of Exchange, One other Act made at the same Assembly intituled an Act for the Encouragement of Tillage & raising provisions for advancement of trade in this Province. One other Act made at the same Assembly intituled an Act for the Amercia-ments in the Provinciall & County Courts. One other act made at the same Assembly intituled an Act against exportation of woll & old Iron. One other Act made at the same Assembly intituled an act prohibiting forreigne ingrossers. One other Act made at an Assembly begun & held at the City of St. Maryes the one and twentieth day of September in the year of our Lord 1694 Intituled an act for settleing a Revenue on their Majestyes present Governour, One other Act made at the same Assembly intituled an Act for speedy & easy Justice for small debts. One other Act made at the same Assembly Intituled an act to prevent the great evil occasioned by the multiplicity of horses within this Province. One other Act made at the same Assembly intituled an Act prohibiting the Inhabitants of this Province or any others from carrying Liquors to the Indian Townes & Cabins. One other Act made at an Assembly begun & held at the Port of Annapolis in Ann-Arrundell County the eighth day of May in the year of our Lord One thousand six hundred ninety five Intituled an Additional act to the act for the better Administracōn of Justice in probate of Wills granting of Administracōns recovering of Legacies & secureing of filial portions. One other Act made at the same Assembly Intituled an Act restrayning the frequent assembleing of Negroes within this Province. One other Act made at the same Assembly intituled an act for the raising a supply towards the defraying the Publick charge of this Province. One other Act made at the same Assembly intituled An Additional Act to the act for Regulateing the Millitia of this Province. One other act made at the same [sic] Assembly held at the Port of Annapolis the third day of October in the year of our Lord one thousand six hundred ninety five intituled an act for the Regulateing the proceedings in the Provinciall Court & lessening the charge of evidences attendance. One other act of Assembly made at the same Assembly intituled an act for appeales & Regulateing writts of error, One other act made at the same Assembly intituled an Act for the Imposition of four pence per gallon on liquors imported into this Province, One other Act made at the same Assembly Intituled an Act imposing the duty of Tenn per Centum upon all European commodities exported out of this Province & that these severall acts of Assembly & every particular clause & thing therein contained shall be & are hereby revived and continued to stand remaine & be in full force & effect for & dureing the full terme of three yeares or to the end of the next Session of Assembly which shall first happen. And be it further Enacted by the Authority aforesaid by & with the advice & consent

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Public aforesaid that one act of Assembly begun & held at the City of St.  
 Record Maryes the tenth day of May in the year of our Lord one thousand  
 Office, six hundred ninety two intituled an Act for the better Administracōn  
 London, of Justice in the County Courts of this Province & every particular  
 C. O. 5, of Justice in the County Courts of this Province & every particular  
 Vol. 731, clause & thing therein contained shall be & is hereby allso revived &  
 Maryland, continued to stand remaine and be in full force & effect for & during  
 From the terme of three years or to the end of the next Session of Assembly  
 1694-1702. which shall first happen.  
 Acts

Acts of An Act for the Assessing of three pence per hogshead upon Tobacco  
 April, 1696, towards the defraying the publick Charge of this Province.  
 ch. 5

Whereas the present necessity of this Province requires far greater disbursements towards the defraying of the Publick charge than what the present impositions levyed & assessed now being in the hands of the Treasurers of this Province will discount, It is therefore humbly prayed that it may be Enacted & be it Enacted by the Kings most Excellent Majesty by & with the advice & consent of this present Gennerall Assembly & by the Authority of the same that from & after the end of this present Session of Assembly all Masters of Shippes or other Vessells now actually being or trading within this Province or that shall be or trade in the same, that is to say from the end of this present Session of Assembly for & dureing the terme or time of one whole year next ensuing pay unto our Sovereigne Lord the King his heires & Successors for the publick use of this Province the sum of three pence sterling for every hogshead or quantity of a hogshead containing four hundred pounds of Tobacco in such his or their shipp or Vessell by him or them exported, for the collecting & gathering whereof the severall & respective Naval officers within this Province shall take good & sufficient Security for the payment of the same & render an account thereof to one of the publick Treasurers of this Province for the time being to be disposed of in such method & manner as the Gennerall Assembly of this Province shall think fitt. This Act to be in force for & dureing the terme and time aforesaid and no longer.

Acts of An Act for the laying an imposition upon Negroes Slaves & white  
 April, 1696, Servants imported into this Province.  
 ch. 7  
 (Repealed  
 1700, ch. 8)

Forasmuch as this Gennerall Assembly are deeply sensible of the great charge the Country is at for the building a State house & defraying of other Publick dues & duties & being desirous of easeing the burthen under which at present the good people of this Province doe grone have taken into their consideracōn that it might be of great advantage in order thereunto that an impost were laid upon Servants & Slaves imported into this Province Be it therefore Enacted by the Kings most Excellent Majesty by & with the advice & consent of this present Gennerall Assembly & by the Authority of the same that from and after the publication hereof all Masters of Shippes or other Vessells



importing Servants into this Province at the time of their entry pay unto the Navall Officer for the time being properly belonging to such port & place where such entry shall be made as aforesaid the sum of two shillings & six pence per pole for every Servant on penalty & forfeiture in case of non payment or refusall to pay the said tax the sum of twenty shillings sterling per pole for every Servant by such Master concealed or unpaid for as aforesaid, to be recovered by action of debt, Bill, plaint or informacōn in any Court of Reccord within this Province wherein no essoyne protection or wager of law to be alowed. And be it further Enacted by the Authority aforesaid, by & with the advice & consent aforesaid that for every Negroe imported into this Province either by land or by water the importer or importers of such Negroe or Negroes shall pay unto the Navall Officer as aforesaid the sum of twenty shillings sterling per pole on penalty & forfeiture of five pounds sterling per pole for every negro by them imported & kept back or unaccounted for as aforesaid to be recovered as aforesaid, & to be collected & gathered deposited & accounted for to the use intent & purpose & in such method & manner as in the act for the impost of four pence per gallon made at a Session of Assembly begun & held at the City of St. Maryes the one & twentieth day of September, in the year of our Lord 1694, is therein mencōned & expressed anything herein contained to the contrary notwithstanding. This act to endure for one year or to the end of the next Session of Assembly which shall first happen.

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An Act explaining one part of an Act of Assembly imposing the duty of Tenn per Cent upon all European commodities exported out of this Province.

Acts of  
April, 1696,  
ch. 9

In consideracōn that Virginia is our neighbouring Government & depending on the same trade that this Province doth & being so near scituate to us & that the Merchants, Traders into this place have often a Trade there also & have frequent occasions to remove part of their goods from this place there & from thence hither & many times goods consigned to the Inhabitants of Virginia are sent in ships that comes into Maryland, Wee the Burgesses & Delegates of this present Gennerall Assembly doe declare that we did not intend by the aforesaid Act of Assembly that the said duty should be imposed upon European Commodities exported out of this Province into Virginia & no further but there sould & disposed on, and therefore we humbly pray that it may be Enacted. And be it Enacted by the Kings most Excellent Majesty by & with the advice & consent of this present Gennerall Assembly & the Authority of the same that it shall & may be lawful to & for any Merchant or Merchants, Traders or Inhabitants of this Province to send any part of their goods & commodities imported into any part of this Province out of this Province again into Virginia for sale as they find their Marketts & occasions require. And allsoe to send any parcell or parcells of such European com-

Public Record Office, London. C. O. 5. Vol. 731. Maryland. From 1694-1702. Acts

modities imported in any ship coming into this Province and consigned to any Inhabitant in Virginia to such inhabitants as they are consigned to without payment of the duty of ten per Cent in the said Act mencōned. Provided such person or persons Soe importing & exporting to Virginia doe before such exportacōns make entry of such goods & Commodities with the officer appointed for such purposes, & doe at the same time make oath with such officer that the said goods are only designed for Virginia and there designed to be sould & disposed without being removed from thence to any other place except to this Province againe & shall also give bond at the same time to such officer that the said goods shall not be exported from Virginia to any other place except to this place again, anything in the said Act of Assembly to the contrary notwithstanding.

Acts of July, 1696, ch. 11

A supplementary act to the act for raising a supply for defraying the publike charge of this Province.

Whereas by a certain act of Assembly (made att a Sessions of Assembly begun & held att the Port of Annapolis the 8<sup>th</sup> day of May Anno Domini 1695) intituled an act for raising a supply towards the defraying of the publike charge of this Province amongst other things it is enacted that the severall Officers enjoying or possessing any place or office of proffitt within this Province shall pay & deposite for the use of the publike the severall & respective summes therein mencōned to be paid unto the Treasurers of this Province for the time being but in & by the said act no authority is given to the said Treasurers or any other Officer or Officers in case of non payment to sue for the same. Bee it therefore enacted by the Kings most Excellent Majesty by & with the advice & consent of this present Gennerall Assembly & the authority of the same that the severall & respective summes in the aforesaid act mencōned shall be paid by the said severall & respective officers to our Sovereigne Lord the King his heirs & successors for the use aforesaid & that the severall & respective Treasurers for the time being on the Easterne & Western Shoars so farr as their severall & respective authorities extend shall have full power & authority to recover & sue for the said severall and respective summes in the said Act mencōned & after Judgment obtained to Levy or cause to be Levied the said severall & respective summes by Execucōn & the same so recovered to pay to our Sovereigne Lord the King his heirs and successors to & for the use in the act expressed any thing in the said act contained to the contrary notwithstanding. This act to endure for three years or to the end of the next Gennerall Assembly which shall first happen.

Acts of July, 1696, ch. 12 (Repealed 1698, ch. 19)

An act prohibiting all manner of profain swearing and Curseing. Forasmuch as the Burgesses & Delegates of this present Generall Assembly have taken into their serious consideracōns that the great & hainous sins of common prophane swearing & curseing is hugely

encreased & doth dayly prevaile within this Province to the great dishonour of Almighty God & of his most holy & blessed name & to the great Scandall & reproach of the Christian Religion for the prevention whereof for the Future be it enacted by the Kings most Excellent Majestie by & with the advice and Consent of this present Generall Assembly & by the authority of the same that if any Person or Persons whatsoever within this Province after the publicacō of this Act shall profanely take the name of Almighty God or of his sonne our blessed Saviour Jesus Christ in vain by profane swearing or curseing or that shall use any other vain & profaine words or speeches tending to the dishonour of God in the presence or hearing of any one Justice of the Peace or of any head officer of any towne City or burrough within this Province or being proved before any one Justice of the Peace or head officer of any towne City or burrough where such offence shall happen to be committed by the Oath of one Witnesse or by the confession of the party Offending within 24 hours after such offence comitted shall pay & forfeit for every such offence the summe of Two shillings sterling to our sovereign Lord the King his heirs & successors to the use of the poor of such parish where such offence shall happen to be committed to bee levied upon such offender or Offenders by warrant from such Justice of the Peace or head Officer of any town City or burrough before whome such Offender or Offenders shall be convicted to the Constable or other Officers by sale of his her or their goods or Chattles rendring to them the Overplus & in case that such Offender or Offenders have not any Goods then to be sett in the stocks by the space of two hours.

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An Act for the Assesseing & settling the Clerk of the Councils Fees within this Province. Acts of July, 1696, ch. 13

Forasmuch as no Law of this Province hath hitherto provided what Fees shall be taken by the Clerk of his Maj<sup>ties</sup> Hon<sup>ble</sup> Council within the same & considering severall matters of a different nature (as well private as publique) do dayly occur & are managed by the said Clerk in the way of his office for which certain allowances or Fees (besides his Annuall sallary) have by sundry orders of Council from time to time thought reasonably to be given to & settled upon such Clerk for his better support & encouragement Yett to the end the same may by a Law be the better Established (& for the satisfaction of his Maj<sup>ties</sup> good people of this Province) reduced to more certainty especially those Fees by writts of Error & appeals (brought before his Excellency the Governour & the hon<sup>ble</sup> his Maj<sup>ties</sup> Council of this Province) accruing being now Erected and constituted a Court for heareing & determining such matters Bee it Enacted by the Kings most excellent Maj<sup>tie</sup> by and with the advice & consent of this present Generall Assembly & the authority of the same that the

Public Record Office, London. C. O. 5, Vol. 731, Maryland. From 1694-1702. Acts	severall Fees in this act hereafter sett down be for the future allowed & taken by the said Clark as Followeth (viz <sup>t</sup> )			
	For every Petition or Motion in Councill and order thereon in Favour of the party	} 200	lb. Tob.	£. s. d. 0: 16: 8
	For any Commission [ <i>"Comecōn"</i> ] or other instrument prepared by the said clerk to pass the broad scale if for a place of proffitt			
	For every Sheriffs Commission	400		1: 13: 4
	For every Ranger surveyor or other Commission of Proffitt granted in Councill	} 200		0: 16: 8
	For Recording any matter in the Councill book pro rato of 24 <sup>th</sup> Tob or [blank] per side			
	For Coppy of any matter or thing from the Councill book the like as for Recording the same	} 024	or	2
	per side			
	For every search to the said Clerk for every year			
	For every private Bill	200	or	16: 8

As also the Following Fees by appeals & Writts of Error accruing as aforesaid viz<sup>t</sup>

For Recording every Writt of Error S <sup>c</sup> i Fā & Return per side	} 024	or	s. 2
The like for Recording the transcript per side			
The like for Recording the Errors per side	024	or	2
For Entr <sup>e</sup> & signing Judgment	084	or	7
For a bill of Cost	024	or	2
For Coppy of the Judgment & Costs the like as for Entr <sup>e</sup> Judgm <sup>t</sup> & Costs	} 080	or	6: 8

And for all other matters or proceedings before the said Court had or taken & not here particularly sett down that Fees be allowed to & taken by the said Clerk proportionable to what are (by Act of Assembly) allowed to or settled upon the hon<sup>ble</sup> the secretary in the Provinciaall Court of this Province And be it further Enacted by the authority aforesaid that the said severall aforementioned Fees doe run upon Execucōn in the same manner & forme as other Officers Fees doe or as by the aforesaid act is prescribed. And the said Clerk is hereby likewise bound to undergoe like penalty (as in the said act is sett down & expressed) if he shall exact take demand or Receive any larger or greater Fee gratuity or Reward for any matter or thing in any wise appertaining to his said Office then what by this act is afore Limited & allowed to be taken any former Law order or Custome to the contrary hereof notwithstanding.

Acts of  
July, 1696,  
ch. 14

An Act for reviving the Temporary Laws of this Province.

Be it enacted by the Kings most Excellent Maj<sup>tie</sup> by & with the advice & consent of this present Generall Assembly & by the author-



ity of the same that one act of Assembly of this Province made att a Session of Assembly begunn & held att the City of St. Maryes the Tenth day of May in the year of our Lord 1692 intituled an act prohibiteing trade with the Indians for any flesh dead or alive (Except deer and wild Fowl) One other act made at the same Assembly intituled an act for the more speedy bringing to tryall & suppressseing Criminalls and Limitting their punishments for certain Offences when prosecuted in the County Courts One other act made at the same Assembly intituled an act relateing to Servants & Slaves One other act made att the same Assembly intituled an act declaring what shall be done by the sheriff ex Officio One other act made att the same assembly intituled an act for securing Merchants & others Tobacco after they have received it One other act made att the same Assembly intituled an act for limitacōn of Officers Fees One other act made att the same Assembly intituled an act limitting the County Clerks Fees of this Province One other act made att the same Assembly intituled an act for the better Administracōn of Justice in the County Courts of this Provyince One other act made att the same Assembly intituled an act for the Ordering & regulateing of the militia of this Province for the better defence & security thereof One other act made att the same Assembly intituled an act ascertaining what damages shall be allowed upon protested bills of Exchange One other act made att the same Assembly intituled an act for the encouragement of Tillage and raiseing Provisions for Advancement of Trade in this Province One other Act made att the same Assembly intituled an act for the Amerciaments in the Provinciall & County Courts One other Act made at the same Assembly intituled an act against exportacōn of Wooll & old Iron One other act made at the same Assembly intituled an act prohibiting Forreign Ingrossers One other act made att an Assembly begun & held att the City of St. Maryes the 21<sup>st</sup> day of September in the year of our Lord 1694 intituled an act for settling the Revenue upon their Maj<sup>ties</sup> present Governour One other act made att the same Assembly intituled an act to prevent the great Evill occasioned by the multiplicity of horses within this Province One other act made att the same Assembly intituled an act prohibiting the Inhabitants of this Province or any others from carrying Liquors to the Indian Towns & Cabbins One other act made att an Assembly begun & held att the Port of Annapolis in Ann Arrundell County the 8<sup>th</sup> day of May in the year of our Lord 1695 intituled an additionall act to the act for the better Administracōn of Justice in Probate of Wills granting Administracōns Recovering of Legacies and securing of Filiall portions One other act made att the same Assembly intituled an act restraining the frequent Assembling of Negroes within this Province One other Act made att the same Assembly intituled an act for the raiseing a supply towards the defraying of the publike charge of this Province One other act made at the same Assembly intituled an additionall act

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to the act for the Regulateing of the Militia of this Province One other act made att the Port of Annapolis the Third day of October in the year of our Lord 1695 intituled an act for the Regulateing of the proceedings of the Provinciaall Court and lessening the charge of Evidences Attendance One other act made att the same Assembly intituled an act for Appeals & Regulateing of writts of Error One other act made at the same Assembly intituled an act for the imposition of Four pence p gallon on Liquors imported into this Province One other Act made at the same Assembly intituled an act imposing the Duty of Ten p Cent. on all European goods Exported out of this Province One other Act of Assembly begun & held att the said Port of Annapolis the last day of Aprill 1696 intituled an act for the Laying an imposition upon Negroes Slaves and white servants imported into this Province One other act made att the same Assembly intituled an act of Assembly to prevent people driving away horses into the Woods One other act made at the same Assembly intituled an act appointing the Justices of each respective County within this Province & Vestries of each respective parish to returne the County Levyes & Proceedings to the Governour & Councill yearly And whereas att the same Assembly it was enacted an act for speedy Justice & Encouragement of trade which said act was by this present Generall Assembly intended for a temporary act only to be & remain in full force strength & vertue from the making thereof untill the end of Three years or beginning of the then next ensuing sessions which should first happen (however the same happened to be omitted) Bee it therefore hereby enacted that the said last mencōned as well as the aforegoeing recited Acts of Assembly and these following (to witt) an act for assessing Three pence p hogshead upon Tobacco towards the defraying of the publique charge of this Province made att the same Assembly One act made at an Assembly begun & held at the City of St. Maryes in the year of our Lord 1692 intituled an act relateing to Negroes & Slaves One other act [sic] begun & held att the said City of St. Maryes the 21<sup>st</sup> day of September 1694 intituled an act for speedy & easy Justice for small debts & that these & all & every the afore recited acts & every clause matter & thing therein contained be & are hereby revived & continued to stand remain & be in full force & effect for & dureing the full terme of Three years or to the end of the next Generall Assembly which shall first happen.

Acts of July, 1696, ch. 15. An Act for Repealeing a certain Law against strikeing of Fish in Somersett & Dorchester Countyes.

Bee it enacted by the Kings most Excellent Maj<sup>ty</sup> by & with the advice & consent of this present Generall Assembly and the authority of the same that one act made att a Generall Assembly begun & held att the City of St. Maries the 21<sup>st</sup> day of September in the year of our Lord 1694 intituled an act against strikeing of Fish in Dorchester

and Somersett Countyes be & is hereby utterly repealed abrogated & made void any thing in the said act to the contrary notwithstanding.

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Acts of  
July, 1696,  
ch. 16

An Act for the Assessing the Publique Levy of this Province.

Whereas there hath been six hundred Forty Four thousand Nine hundred Forty one pounds of Tobacco expended laid out & disbursed by severall of the Inhabitants of this Province upon the necessary charge of this Province which hath been examined stated & allowed by this present Generall Assembly to the intent therefore that the same may be satisfyed & paid to those Persons to whom the same is due Bee it enacted by the Kings most Excellent Maj<sup>tie</sup> by & with the advice & consent of this present Generall Assembly & by the authority of the same that the said summe of six hundred Forty Four thousand Nine hundred forty one pounds of Tobacco be paid in manner & forme as is hereafter expressed by an Equall Assessment upon the Person & Estates of the inhabitants of this Province & be paid to the severall Persons to whom the same is due & payable as aforesaid any Law Statute custome or usage to the contrary thereof in any wise notwithstanding.

That is to say

To M<sup>r</sup> Sam<sup>l</sup> Watkins Eleaven hundred pounds of Tobacco to W<sup>m</sup> Hallett of Anne Arrundell County Four hundred pounds of Tobacco to Tho: Blackwell Three hundred eighty two To Tho: Blackwell for James Baker Door keeper three hundred sixty six to William Bladen Ten thousand pounds of Tobacco to Peter Ferdinando two thousand to William Shute two thousand to M<sup>r</sup> Peregrine Coney two thousand to M<sup>r</sup> George Tubman three thousand to W<sup>m</sup> Howard two hundred to Allein Robinate nine thousand pounds of Tobacco to Tho: Blackwell two hundred sixty six pounds of Tobacco to Tho: Hicks two thousand two hundred sixty six pounds to M<sup>r</sup> Jn<sup>o</sup> Pollard two thousand Four hundred & Forty to Hen: Hooper two thousand two hundred sixty six to Major Tho: Ennalls seaventeen hundred & six to M<sup>r</sup> Edw<sup>d</sup> Boothby Eighteen hundred & sixty to M<sup>r</sup> Ja: Maxwell two thousand to M<sup>r</sup> Jn<sup>o</sup> Ferry Two thousand two hundred & eighty pounds of Tobacco to Cap<sup>t</sup> Ri: Hill two thousand to Cap<sup>t</sup> Ric: Hill Nineteen hundred & sixty pounds of Tobacco to Col<sup>t</sup> Jn<sup>o</sup> Hinson two thousand two hundred & eighty to M<sup>r</sup> W<sup>m</sup> Frisby two thousand two hundred & eighty to Major Tho: Smith two thousand two hundred & eighty to Col<sup>t</sup> Hans Hanson Eight hundred & eighty to M<sup>r</sup> Edw<sup>d</sup> Boothbey four hundred to Major Hammond fourteen hundred pounds of Tobacco to Major Hammond more nineteen hundred & sixty to M<sup>r</sup> James Sanders two thousand one hundred & twenty to Major Edw<sup>d</sup> Dorsey two thousand eight hundred to Cap<sup>t</sup> Ri: Hill nineteen hundred & sixty to Cap<sup>t</sup> W<sup>m</sup> Holland Five thousand two hundred twenty Four to M<sup>r</sup> Tho: Dixon two thousand Four hundred & Forty to M<sup>r</sup> Jn<sup>o</sup> Bosman two thou-

Public sand one hundred & sixty to M<sup>r</sup> Francis Jenkins two thousand four  
 Record hundred & forty to Richard Sayer One thousand & to M<sup>r</sup> Mathew  
 Office, Scarborough Eleaven hundred & eighty pounds of Tobacco to  
 London, Major Jn<sup>o</sup> Thompson two thousand four hundred & forty to  
 C. O. 5, Col<sup>t</sup> W<sup>m</sup> Pearce two thousand Four hundred and Forty to Col<sup>t</sup> S<sup>t</sup>  
 Vol. 731, Leidger Codd six hundred & sixty to Col<sup>t</sup> Herman six hundred &  
 Maryland, From  
 1694-1702, sixty to Major Tho: Smithson two thousand two hundred & eighty  
 Acts to M<sup>r</sup> Nich: Lowe two thousand two hundred & eighty to M<sup>r</sup> W<sup>m</sup>  
 Hemsley two thousand two hundred & eighty to M<sup>r</sup> Rob<sup>t</sup> Smith  
 seventeen hundred & twenty to M<sup>r</sup> Tho: Tasker two thousand two  
 hundred & eighty to M<sup>r</sup> Geo: Lingan two thousand two hundred &  
 eighty to M<sup>r</sup> Francis Hutchins seaven hundred & forty to M<sup>r</sup> James  
 Cranford seaven hundred & forty to M<sup>r</sup> W<sup>m</sup> Hatton nine hundred to  
 Major W<sup>m</sup> Barton nine hundred to Col<sup>t</sup> Ninian Beale nine hundred to  
 Major James Smalwood two thousand Four hundred & Forty to Cap<sup>t</sup>  
 William Hutchinson two thousand Four hundred & Forty to M<sup>r</sup> Hen:  
 Hawkins two thousand Four hundred & Forty to Major W<sup>m</sup> Dent  
 seaventeen hundred & forty to Cap<sup>t</sup> Tho: Vanhob two thousand one  
 hundred & sixty to the Hon<sup>ble</sup> Kenelm Chyseldine two thousand Four  
 hundred & Forty to M<sup>r</sup> Phillip Clark two thousand Four hundred &  
 Forty to the Hon<sup>ble</sup> Kenelm Chysledine sixteen hundred & eighty  
 to M<sup>r</sup> Rob<sup>t</sup> Mason Eighteen hundred & eighty to M<sup>r</sup> Rob<sup>t</sup> Mason  
 more two thousand Four hundred & Forty to W<sup>m</sup> Gouldthorp Four  
 hundred to Jn<sup>o</sup> Boomer seaven hundred to Hen: Mathewes nine  
 hundred & twelve to Col<sup>t</sup> David Brown Four hundred Thirty two  
 & to M<sup>r</sup> Jn<sup>o</sup> Pollard Five hundred twenty three pounds of Tobacco  
 by assignment of Dorchester County Burgesses to Cap<sup>t</sup> Jn<sup>o</sup> Bayn  
 Four hundred to Jarvis Windsor one hundred pounds of Tobacco  
 to Timothy Mahawney one hundred To Cap<sup>t</sup>. Jn<sup>o</sup> Bayn twelve  
 hundred & twenty to M<sup>r</sup> Rob<sup>t</sup> Mason assigned by M<sup>r</sup> W<sup>m</sup> Cooper  
 Eight hundred to M<sup>r</sup> Jn<sup>o</sup> Lowe Eight hundred to M<sup>r</sup> Manning  
 Surveyor of Charles County Eight hundred to M<sup>r</sup> Edw<sup>d</sup> Batson  
 Eight hundred to M<sup>r</sup> Tho: Greenfeild Eight hundred & Eighty to  
 M<sup>r</sup> Hen: Wriothsley Eight hundred to M<sup>r</sup> Sam<sup>l</sup> Watkins twelve  
 hundred to Rob<sup>t</sup> Gouldsborough Eight hundred To Jn<sup>o</sup> Standley  
 twelve hundred to James Baker twelve hundred to Jn<sup>o</sup> Newton  
 twelve hundred to Hen: Mathewes twelve hundred to the Rangers  
 in Baltemore County thirty six thousand four hundred to the  
 Rangers in Calvert County thirty six thousand four hundred To  
 Col<sup>t</sup> Herman one hundred thousand to M<sup>r</sup> Nich: Spourne two thou-  
 sand two hundred & eighty to Soloman Wright Eight hundred to  
 Geo: Smith Ja: Williams Bernard Powell Rob<sup>t</sup> Powel & Jn<sup>o</sup> Chayres  
 & to each of them one hundred to Garrett Vansweringen three thou-  
 sand two hundred sixty five to Col<sup>t</sup> Jn<sup>o</sup> Addison three thousand six  
 hundred & twenty to M<sup>r</sup> Tho: Brookes two thousand Five hun-  
 dred to M<sup>r</sup> Jn<sup>o</sup> Pollard four hundred & Eighty to M<sup>r</sup> Sam<sup>l</sup>  
 Watkins three hundred twenty eight to M<sup>r</sup> Vansweringen six hun-



dred to M<sup>r</sup> Tho: Blackwel Four hundred & to M<sup>r</sup> Guyther one hundred sixty five pounds of Tobacco to Kent County seaven hundred & twenty for a boat to Talbott County for a boat seaven hundred & twenty to Cecill County for a boat in October last seaven hundred & twenty to Dorchester County seaven hundred & twenty to Somerset County seaven hundred & twenty to Col<sup>t</sup> Nich: Greenberry Four thousand six hundred & Fifty to Col<sup>t</sup> Nich: Greenberry more twelve hundred to M<sup>r</sup> Hen: Lowe three thousand & Eighty to M<sup>r</sup> W<sup>m</sup> Hatton Four thousand eight hundred & Eighty to M<sup>r</sup> Jn<sup>o</sup> Pollard Fourteen hundred to M<sup>r</sup> Rob<sup>t</sup> Mason Fourteen hundred to Cap<sup>t</sup> Ri: Hill fourteen hundred to Major John Hammond fourteen hundred to M<sup>r</sup> Edw<sup>d</sup> Jones seaventeen hundred & twenty to M<sup>r</sup> Tho: Tasker two thousand & twenty to Kent County for a boat in May Assembly seaventeen hundred & twenty to Cecill County seaven hundred & twenty to Talbott County seaven hundred & twenty to Dorchester County seaven hundred & twenty & to Somerset County seaven hundred & twenty pounds of Tobacco to Col<sup>t</sup> Ninian Beale two thousand eight hundred to James Baker twelve hundred to M<sup>r</sup> Hen: Denton Five thousand to M<sup>r</sup> Hen: Denton five thousand to M<sup>r</sup> W<sup>m</sup> Bladen Five thousand to Jn<sup>o</sup> Standley twelve hundred to Rob<sup>t</sup> Gouldsborough twelve hundred to Garret Vansweringen twelve hundred & eighteen to M<sup>r</sup> Tho: Hicks one hundred & forty to M<sup>r</sup> Jn<sup>o</sup> Pollard one hundred & forty to M<sup>r</sup> Henry Hooper one hundred & Forty to Major Tho: Ennalls two hundred & eighty to M<sup>r</sup> Edw<sup>d</sup> Boothby one hundred & Forty to Major James Maxwell one hundred & Forty to M<sup>r</sup> Jn<sup>o</sup> Ferry one hundred & Forty to M<sup>r</sup> Rob<sup>t</sup> Mason two hundred & Eighty to M<sup>r</sup> W<sup>m</sup> Hatton two hundred & Eighty to Col<sup>t</sup> Jn<sup>o</sup> Hinson one hundred & Forty to M<sup>r</sup> W<sup>m</sup> Frisbey One hundred & Forty to Major Tho: Smith one hundred & Forty to Col<sup>t</sup> Hans Hanson one hundred & Forty to Major Jn<sup>o</sup> Hammond Four hundred & twenty to M<sup>r</sup> James Sanders one hundred & Forty to Major Edw<sup>d</sup> Dorsey one hundred & Forty to Cap<sup>t</sup> Ri: Hill one hundred & Forty to M<sup>r</sup> Tho: Dixon one hundred & Forty to M<sup>r</sup> Jn<sup>o</sup> Bosman one hundred & Forty to M<sup>r</sup> Fra: Jenkins one hundred & Forty to M<sup>r</sup> Matthew Scarborow one hundred & Forty to Jn<sup>o</sup> Thomson one hundred & forty to Col<sup>t</sup> W<sup>m</sup> Peirce one hundred & Forty to Col<sup>t</sup> Herman one hundred & Forty to Major Tho: Smithson one hundred & Forty to M<sup>r</sup> Nich: Lowe one hundred & Forty to M<sup>r</sup> W<sup>m</sup> Hemsley one hundred & Forty to M<sup>r</sup> Rob<sup>t</sup> Smith two hundred & Eighty to M<sup>r</sup> Tho: Tasker one hundred & Forty to M<sup>r</sup> Geo: Lingan one hundred & Forty to M<sup>r</sup> Francis Hutchins one hundred & Forty to M<sup>r</sup> James Cranford one hundred & Forty to M<sup>r</sup> W<sup>m</sup> Hatton two hundred & Eighty to Col<sup>t</sup> Ninian Beale two hundred & Eighty to M<sup>r</sup> W<sup>m</sup> Barton two hundred & Eighty to Cap<sup>t</sup> W<sup>m</sup> Hutchinson one hundred & Forty to M<sup>r</sup> Henry Hawkins one hundred & Forty to Major W<sup>m</sup> Dent one

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hundred & Forty to Cap<sup>t</sup> Tho: Wauhob one hundred & Forty to M<sup>r</sup> Kenelm Chysledine one hundred & Forty to M<sup>r</sup> Rob<sup>t</sup> Mason one hundred & Forty to M<sup>r</sup> Phillip Clark one hundred & Forty to Allein Robinate two thousand two hundred & Fifty to Jn<sup>o</sup> Hanstine One thousand to Edw<sup>d</sup> Sanders three thousand to Jn<sup>o</sup> Crosse Eight thousand to M<sup>r</sup> James Sanders assigned by Jn<sup>o</sup> Crosse four thousand to M<sup>r</sup> Hen: Denton Five thousand to Col<sup>t</sup> David Brown assigned by Richard Jones Seven hundred to Col<sup>t</sup> Geo: Robotham Five thousand one hundred & forty to the Hon<sup>ble</sup> James Frisbey Four thousand Eight hundred & sixty to Col<sup>t</sup> Cha: Hutchins six thousand Five hundred & Forty to Col<sup>t</sup> David Brown six thousand two hundred & Ten to Col<sup>t</sup> Jn<sup>o</sup> Coursey two thousand two hundred & Eighty to M<sup>r</sup> Hen: Denton One hundred & Fifty to M<sup>r</sup> Denton more one hundred & Fifty to M<sup>r</sup> Geo: Ligan six hundred & Forty to M<sup>r</sup> Rob<sup>t</sup> Mason by Assignment of Tho: Grunwin three hundred to Jn<sup>o</sup> Newton twelve hundred to Thomas Blackwell Five hundred seaventy three to Cap<sup>t</sup> William Holland Jun<sup>r</sup> Four thousand two hundred & Forty to Col<sup>t</sup> Nich: Greenberry one hundred & fifty to M<sup>r</sup> Vanswering four hundred & Forty to Stephen Blatchford three hundred to M<sup>r</sup> W<sup>m</sup> Frisbey Fourteen hundred & Forty to Col<sup>t</sup> Hans Hanson Fourteen hundred & Forty to Major Tho: Smith Fourteen hundred & Forty to Col<sup>t</sup> Jn<sup>o</sup> Hinson Fourteen hundred & Forty to Col<sup>t</sup> W<sup>m</sup> Peirce thirteen hundred to Major Jn<sup>o</sup> Thompson Fourteen hundred & Forty to Col<sup>t</sup> St. Leidger Codd Fourteen hundred & Forty to Major Tho: Smithson Fourteen hundred & Forty to M<sup>r</sup> W<sup>m</sup> Hensley Fourteen hundred & Forty to M<sup>r</sup> Rob<sup>t</sup> Smith fourteen hundred & Forty to M<sup>r</sup> Jn<sup>o</sup> Pollard sixteen hundred to M<sup>r</sup> Hen: Hooper sixteen hundred to M<sup>r</sup> Tho: Hicks sixteen hundred to Major Tho: Ennalls sixteen hundred to M<sup>r</sup> Fra: Jenkins sixteen hundred to M<sup>r</sup> Tho: Dixon sixteen hundred to M<sup>r</sup> Jn<sup>o</sup> Bosman sixteen hundred to M<sup>r</sup> Mathew Scarborough sixteen hundred to M<sup>r</sup> Rob<sup>t</sup> Mason sixteen hundred to M<sup>r</sup> Kenelm Chysledine sixteen hundred to M<sup>r</sup> Phillip Clark sixteen hundred to Cap<sup>t</sup> Tho: Wauhob sixteen hundred to Major Ja: Smallwood sixteen hundred to M<sup>r</sup> Hen: Hawkins one thousand & Forty to Major W<sup>m</sup> Dent one thousand & Forty to M<sup>r</sup> W<sup>m</sup> Hatton sixteen hundred to Col<sup>t</sup> Ninian Beale one thousand & Forty to M<sup>r</sup> W<sup>m</sup> Hutchinson sixteen hundred to Major W<sup>m</sup> Barton sixteen hundred to M<sup>r</sup> Tho: Tasker Fourteen hundred & Forty to M<sup>r</sup> Francis Hutchins Fourteen hundred & Forty to Major Jn<sup>o</sup> Hammond eleven hundred & twenty to M<sup>r</sup> Edw<sup>d</sup> Dawsey eleven hundred & twenty to Cap<sup>t</sup> Ric: Hill Eleven hundred & twenty to M<sup>r</sup> Ja: Sanders twelve hundred & Eighty pounds of Tobacco to M<sup>r</sup> Geo: Ashman Fourteen hundred & forty to M<sup>r</sup> Edw<sup>d</sup> Boothbey thirteen hundred to M<sup>r</sup> Jn<sup>o</sup> Ferrey one thousand & twenty to M<sup>r</sup> Ja: Cranford Fourteen hundred & Forty to M<sup>r</sup> Geo: Layfeild two thousand to

M<sup>r</sup> Vansweringen eighteen hundred seventy six to Major Jn<sup>o</sup> Thompson one hundred & Fifty to M<sup>r</sup> Roger Newman sixteen hundred to M<sup>rs</sup> Hester Grose Four hundred to Major Edw<sup>d</sup> Dorsey two hundred to Edw<sup>d</sup> Snelling & James Sherley two hundred to Edw<sup>d</sup> Rumley seaventy five to Henry Mathewes Five hundred to Dan<sup>ll</sup> Edge One hundred to the Keepers of the Ferry att Mount Calvert twelve thousand to M<sup>r</sup> Henry Denton twelve thousand to Henry Loftus one hundred to Jn<sup>o</sup> Stanley Fifty to M<sup>r</sup> James Cullins Four hundred & Fifty to Nich: Sporne three thousand two hundred & Fifty to M<sup>r</sup> Vansweringen nine hundred & eighty to Nich: Sporne Four hundred to Major Edw<sup>d</sup> Dorsey eleaven hundred & twenty to M<sup>r</sup> Kenelme Chysledine eleaven hundred & twenty to Colt Sn<sup>t</sup> Leidger Codd Eighty to Colt Hen: Jowles nine hundred & forty to Nich: Sporne one hundred to Nich: Sporne eleaven hundred to Tho: Blackwell Five hundred to M<sup>rs</sup> Rachel Proctour Four hundred pounds of Tobacco to M<sup>r</sup> Tho: Brookes one thousand & eighty to Nich: Sporne five hundred & fifteen to the two new Rangers which are added in Prince Georges County three thousand six hundred to two new Rangers in Baltemore County three thousand six hundred to Major W<sup>m</sup> Dent Eight hundred to Colt Hen: Jowles ten thousand three hundred to Major W<sup>m</sup> Dent by assignment of Richard Jones eight hundred to Colt David Brown by assignment of Richard Jones eight hundred to M<sup>r</sup> Edw<sup>d</sup> Boothbey seaven hundred & twenty to Cap<sup>t</sup> W<sup>m</sup> Holland Sen<sup>r</sup> six thousand & eight hundred & twenty to M<sup>r</sup> Vansweringen one hundred & twenty to Jn<sup>o</sup> Large Five hundred Fifty Five to Rob<sup>t</sup> Parker six thousand to Richard Jones one hundred eighty two to Ric: Kilburne eight hundred to Jn<sup>o</sup> Newton seaventy to Nich: Sporne Four hundred to John Murrrough One thousand to Sam<sup>ll</sup> Holdsworth two hundred & forty to Ri: Kilburne Four hundred to Nich: Sporne Four hundred and to Rob<sup>t</sup> Gouldsborough Four hundred pounds of Tobacco to the Sheriffs for collecting of Five hundred eighty six thousand three hundred & ten pounds of Tobacco the summe of Fifty eight thousand six hundred thirty one pounds of Tobacco. And be it further enacted by the authority aforesaid by & with the advice & consent aforesaid that the aforesaid sume of six hundred Forty Four thousand nine hundred Forty one pounds of Tobacco be levied and assessed by an equal assessment upon the bodies or estates of the inhabitants taxables of this Province & paid to the severall Persons to whom the same is due as aforesaid any Law Statute usage or custom to the contrary in any wise notwithstanding.

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[A Supplicatory Act about the Commissary's Office]

To the Kings Most Excellent Majesty

Wee your Maj<sup>ties</sup> most humble & dutifull Subjects your Maj<sup>ties</sup> Governour and Councill and this present Generall Assembly having

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been lately made acquainted of the Right Reverend Father in God the Lord Bishop of Londons pious intentions, of sending over to us an able and pious Divine not onely to propagate the Holy Gospell but to Supervise and overlooke the other Ministers & Divines in this Province and Consulting with our selves what Encouragement to give and how to provide a Support suitable to the quality of such a person in some measure answerable to his Eminent function can conceive of nothing more suitable at present then to annex the Office of Commissary Generall and probate of Wills and granting administracōns in this Province to such Divine dureing his residence in this Province, doe therefore humbly pray that it may be Enacted and may it be Enacted by your Most Sacred Maj<sup>ty</sup> by and with the advice and consent of this present Generall Assembly and the Authority of the same, That for ever hereafter the said Office of Commissary Generall of this Province for probate of Wills & granting of Administracōns shall be Annexed to such Divine or Commissary from time to time to be appointed to that Sacred and Holy function, as part of the revenue for such Divine. And that your Maj<sup>ty</sup>s Governour or Commander in Cheife be required & commanded by your Maj<sup>ty</sup> upon the Arrival or appointment and resideing here of such Divine or Commissary and application to him made to grant and confirme the said Office & Trust of Commissary Generall and probate of Wills and granting Administracōns to such Divine in as full large and ample manner as has been usuall to other Persons in this Province. And for as much as the said Office is an office of great charge and conduct & Trust haveing under its care the Estates of Widdows and Orphans of all persons dyeing in this Province and is altogether Judicial and cannot be Exercised by any Deputy or Representative but by one resideing in this Province who may thereby be answerable to the Justice of the Laws of this your Maj<sup>ty</sup>s Province of Maryland upon any notorious Missfeasance or malefeasance therein. And that Doctor William Payne hath heretofore obtained from his Excellency Francis Nicholson Esq<sup>re</sup> your Maj<sup>ty</sup>s Govern<sup>r</sup> of this Province whilst in London, a Commission for the said Office upon many falce feigned and untrue Suggestions as Wee humbly conceive and now does pretend claime and demand to have the Excercise Benifitt and Profit of the said Office to himselfe and a Deputy whome for that purpose he hath appointed in this Province, whilst himselfe remains Resident in London. To prevent such Evills and falce Suggestions for the future, We humbly pray that it may be Enacted by the Authority aforesaid that at all times upon the Death or absence of such Commissary or Divine aforesaid, your Maj<sup>ty</sup>s Governour or Commander in Cheife be directed and required to grant the said office and Trust to some other sober Learned & discreet person of the Clergy or otherwise, Resident in this Province untill some other Commissary or Divine for that purpose be appoynted.



An Act for Secureing the Parochiall Librarys of this Province.

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Be it Enacted by the Kings most Excellent Majesty by and with the advice and consent of this present Generall Assembly and the authority of the same, That the Liberys appointed for the severall and respective Parishes within this Province shall be and remaine in the hands & possession of the Minister of the Parish, if any Minister be presented and appointed or induced to the said Parish during his said residence in the parish aforesaid, who is and shall be obliged to keep and preserve the said Librarys from Waste or Imbezlement and be accomptable for the same to the Governour and Councill and Vestry, as often as required and to that purpose the said Ministers shall pass two receipts for the said Books inserting what they are and the Title page of the same, one receipt to goe to the Governour & Councill, one to the Vestry of the parish to be recorded in their Records, And the said Vestrys are hereby obliged to visitt the said Library twice in the year & Inspect the same, and in case of any damage or Imbezlement thereof, to require and cause Satisfaction for the same, to be made under the penalty of one Thousand pounds of Tobbacco, to each Vestry neglecting therein to the use of the parish, wherein such neglect shall be made, and in case any Minister haveing the charge of such Library, shall be removed from his charge, he shall deliver the said Library to the Vestry of the parish, and make satisfaction or reparation of any damage or Waste suffred before his departure out of the said Parish, Except by fire, or such like unavoidable accidents, or in case of the death of any such Minister, haveing the charge of such Library the vestry of such Parish shall Immediately take the said Library into their Custody and Keeping and pass their receipts for the same as above directed and shall be in all points answerable for the same, Except by fire or such like Accidents as aforesaid.

An Act for Speedy Justice for small Debts.

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ch. 21

For asmuch as this present Generall Assembly have taken into their serious consideracō the great damage and Inconveniency accruing to the good people of this Province for the recovery of small debts, by a due course of Law in the severall and respective County Courts thereof, it often happening that such Creditors rather choose to loose their just rights and creditts then be put to the trouble to sue for the same, and for that it doth allso appear to be noe less a greivance and burthen to the Debtors of such Creditors persons for the most part Indigent and poore, who being sued frequently, pay three times more cost then the originall debt doth amount unto, for the redress of boath parties for the future, the Immediate & speedy recovery of Just rights and prevention of the like greivences for the time to come it is therefore humbly prayed that it may be Enacted and Be it Enacted by the Kings most Excellent Majesty by and with the advice and consent of this present Generall Assembly and the

Public authority of the same, that noe County Court within this Province, shall hold Plea or have Jurisdiction for the heareing or Trying or Record Office, determining of any Action or Actions before them brought, Either London. C. O. 5, by Bond, Bill Assumption reckoning or Account wherein the Vol. 731, demand made doth not Exceed the Summe of Two hundred pounds Maryland. of Tobbacco or Twelve shillings sterling, But that in all such cases From 1694-1702. Acts wherein the demand made doth not Exceed the Summe of Two hundred pounds of Tobbacco, or Twelve shillings sterling aforesaid, It shall and may be Lawfull for any one Justice of the Peace within the severall and respective Countys wherein the person Debtor doth reside to trye hear and determine the matter of Controverisie between the party and partys Debtor and Creditor as aforesaid upon application to him made by any Creditor or Creditors of such Debtor or Debtors aforesaid, and at the time of the application aforesaid such Justices is also authorized and Impowred & also willed and required to Isue out his Warrant, & to depute such person for to Execute the same as he shall think fitt, to command and bring before him, the person of such Debtor or Debtors, and also Summons to Isue for such Witnesses as either Plaintiff or Defendant shall have occasion to make use of, with power to administer Oath or Oathes to either Plaintiff or Diffend<sup>t</sup> or to any of their or Either of their Evidences as occasion shall require, for the better clearing of the matter in question before him, And upon full hereing of the allegations of either Party or Partys, what may or can upon Oath be given in Evidences by any of their Evidences, to proceed to Judgement as the nature of the case shall require, whose determination shall be finall, all which such Justice of the Peace before whom such matter of Contraversie shall be brought, shall doe gratis, and if such party or partys against whom Judgement shall be given, shall refuse or delay to pay such Debt, as shall be awarded against him or them, then it shall and may also be Lawfull for such Justice of the Peace to award Execution against the said Party or Partys for the Debt aforesaid by fieri facias or capias ad Satisfaciendum directed to the Sheriff of the County, which said Sheriff upon receipt of such precept, from such Justice aforesaid shall Immediately thereupon Levey the same upon his her or their good and Chattles, or Body, as the Matter of the Writt shall require, all which such Sheriff shall doe Ex Officio, Any Law Useage or Custome to the contrary notwithstanding

This Act to Endure for three years or to the end of the next General Assembly which shall first hapen, a former Act of this Title to the same purpose being now Expired and made Void.

Acts of An Act Relating to Bayle to be taken by the Sheriffs in accōns of Sept. 1696, Trespass upon the Case.  
ch. 22

Whereas many Litigious persons commence Accōns of Trespass upon the Case against severall good people of this Province rather

of Spite and Mallice, then for Just Cause, And not setting the cause of the said Accōn in the Originall Writt, and yet lay damages to a vast Sum on a spitefull purpose, to deterr any friends of the person arrested from being his Bayle, because it dos not appear to such freind of the arrested person what the cause of Accōn is, Bee it therefore Enacted by the Kings Most Excellent Majesty by and with the advice & consent of this present Generall Assembly and the Authority of the same, that in all Accōns of Trespass upon the Case where damages are laid to be above four Thousand pounds of Tobbacco there shall together with the Writt be sent a true Coppy of the Declaracōn & left with the Deff<sup>t</sup> expressing the true cause of Accōn, that thereby the freinds of the party arrested who are willing to be Bayle for him, may know the said cause, And if such Coppy be not delivered and left with the Deff<sup>t</sup>, the Sheriff or any other Officer having authority to serve such writt shall not require a Bayle Bond of the Deff<sup>t</sup> for above the sum of Eight Thousand pounds of Tobbacco although damages be laid in the Writt for any greater sum whatsoever, in paine that every Sheriff or other Officer aforesaid Exacting a greater bond contrary to this Act shall forfeitt the sum of four Thousand pounds of Tobbacco, one Moiety to his Maj<sup>ty</sup> his heirs & Successors for the time being for the use of the Free Schoole the other halfe to the party greived to be recovered by Accōn of Debt Bill Plaint or Informacōn in any Court of Record within this Province wherein noe Essoyne protection or Wager of Law be allowed this Act to endure for three years or to the end of the next Generall Assembly which shall first happen.

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An Act for the better Clearing the Roades and directing all Travellers Travelling through this Province.

Acts of  
Sept. 1696,  
ch. 23

Be it Enacted by the Kings most Excellent Maj<sup>ty</sup> by and with the advice and consent of this present Generall Assembly and the Authority of the same, that all publick and maine Roades be hereafter cleared and grubbed fitt for Travalling Twenty foote wide and good and Substantiall Bridges made over all heads of Creeks and Branches where need shall require at the discretion of the Justices of the County Courts, and for the better ascertaining and knowing what are or shall be deemed Publick Roades, Be it likewise Enacted that the Justices of the County Courts, shall once Every year sett downe and ascertain in their records what are the Publick Roades of that County, and when they have soe done, shall send the Coppy thereof to his Excellency the Govern<sup>r</sup> or Commander in Cheife, and Councill, and that no Person whatsoever shall aliter or change any such Publick Roade without the Leve or Licence of the Govern<sup>r</sup> & Councill or the Justices of the County Courts, under the penallty of five hundred pounds of Tobbacco, And for the preventing of any neglect of any Overseers of the high Ways or for punishing the same, the Justices of the severall Countys within this Province are hereby

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required & Enjoyed dilligently to enquire after the Overseers of the high Ways and all others if they doe and discharge their severall dutys herein and by other Laws of this Province Enjoyed and required of them, and upon knowledge or Evidence of any Misfeasance or Nonfeasance therein shall make due presentment & prosecution thereof under the penallty of five hundred pounds of Tobacco, to every Justice neglecting or refusing to present & prosecute the same, and that all Roades that leads to any Ferrys Court house of any County, or to any Church, or leading through any County to the Port of Annapolis, shall be marked on both sides the Roade with Two notches if the Roade leads to Annapolis, the Roade that leads there at the leaveing the other Roade shall be marked on the face of the Tree in a smooth place cut for that purpose with the Letters A. A. sett on with a pair of marking Irons and Coulered, & soe with two notches all along the Roade, And where at any place it leaves any other Roade, shall be again distinguished with the mark afore said, on the face of the Tree with a pair of marking Irons, & Coulered as aforesaid And any roade on the Eastern Shore in Talbott County that leads to the Port of William Stadt at the Entrance into the same, and upon parting with or dividing from any other Roade shall be marked on the face of a Tree in a smooth place cut for that purpose with the Letter W. and soe with Two notches all along the Roade. And the Road that leads to any County Court house shall have Two Notches on the Tree on both sides the Roades as aforesaid, and another Notch a distance above the other two, And any Roade that leads to a Church shall be marked at the Entrance into the same at leaving any other Roade with a Slip cut downe the face of the Tree near the ground, and any Roade leading to a Ferry and devideing from other Publick Roades shall be marked with Three Notches of Equall distance at the Entrance into the same, and these Rules and Meothods the severall Justices of the County Courts, shall from time to time give in charge to the Overseers of the high Ways by them to be appointed for that purpose who are likewise Enjoyed carefully and strictley to observe & performe the same under the penallty of one hundred pounds of Tobbacco for every such default by any overseer of the high Ways as aforesaid, And where any Roade shall lead through any seated Plantacōn or ould feilds, Be it Enacted by the Authority aforesaid by and with the advice & consent aforesaid that the severall and respective Overseers within their severall and respective precincts doe sett up posts soe many as may be perceived from one to the other which posts shall be marked and notched according to the place they lead to as before in the Act for the marking & notching of Roades have been appointed, And that the posts of all gates through which any such Roade shall leade as aforesaid be marked and notched as aforesaid under the penallty aforesaid any thing in this or any other Act contained to



the Contrary notwithstanding, This Act to endure for Three years or to the end of the next Generall Assembly which shall first happen.

A Supplementary Act to the Act for payment & Assessment of the Publick charge of this Province.

Forasmuch as since the laying and assessing of the last publick charge of this Province as appears by an Act of Assembly made at a Sessions of Assembly held at the Port of Annapolis the first day of July last past severall accounts charges and Expences have accrewed to be paid and disbursd by the Publick which said accounts have been examined stated and allowed of by this present Generall Assembly, to the end therefore that the same may be satisfied and paid to those persons to whom the same is due, Be it Enacted by the Kings Most Excellent Majesty by and with the advice & consent of this present Generall Assembly and the Authority of the same that the sum of one hundred Seventy eight Thousand Nine hundred Thirty three pounds of Tobbacco being what hath since last Sessions of Assembly been disbursed and expended be paid in manner and forme as is hereafter expressed, by an Equall Assessment upon the Persons & Estates of the Inhabitants of this Province, and be paid to the severall persons to whome the same is due as aforesaid, (That is to say) To M<sup>r</sup> Robert Mason seven hundred & sixty pounds of Tobbacco, To Col<sup>t</sup> John Cood Thirteen hundred and Twenty pounds of Tobbacco To M<sup>r</sup> Kenelm Chesledyne Esq<sup>re</sup> Two hundred and Eighty pounds of Tobbacco To M<sup>r</sup> Philip Clark Two hundred & Eighty pounds of Tobacco To Capt<sup>a</sup> Tho: Waughop Two hundred & Eighty pounds of Tobbacco To Maj<sup>r</sup> William Dent Two hundred and Eighty pounds of Tobbacco, To Maj<sup>r</sup> James Smallwood Two hundred and Eighty pounds of Tobacco, To M<sup>r</sup> Henry Hauckins Two hundred and Eighty pounds of Tobbacco, To M<sup>r</sup> William Huchison Two hundred and Eighty pounds of Tobbacco, To M<sup>r</sup> William Hatton Two hundred & Eighty pounds of Tobbacco, To Maj<sup>r</sup> William Barton Two hundred & Eighty pounds of Tobbacco, To Capt<sup>a</sup> Tho: Tasker Two hundred & Eighty pounds of Tobbaco, To M<sup>r</sup> Francis Huchins Two hundred & Eighty pounds of Tobbacco To M<sup>r</sup> James Cranford Two hundred & Eighty pounds of Tobbaco To Maj<sup>r</sup> John Hammond Two hundred & Eighty pounds of Tobbacco, To Major Edward Dorsey Two hundred & Eighty pounds of Tobbacco, To Capt<sup>a</sup> Rich<sup>d</sup> Hill Two hundred & Eighty pounds of Tobbacco, To M<sup>r</sup> James Saunders Two hundred & Eighty pounds of Tobbacco, To M<sup>r</sup> Edward Boothby Two hundred & Eighty pounds of Tobbacco, To M<sup>r</sup> George Ashman Two hundred and Eighty pounds of Tobbacco, To Col<sup>t</sup> S<sup>t</sup> Ledger Codd Two hundred and Eighty pounds of Tobbacco, To Col<sup>t</sup> William Pearce Two hundred and Eighty pounds of Tobbacco, To Maj<sup>r</sup> John Thompson Two hundred and Eighty pounds of Tobbacco, To Col<sup>t</sup> John Henson Two hundred and Eighty pounds of Tobbacco, To Col<sup>t</sup> Hance Hanson Two hundred & Eighty

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Public pounds of Tobbacco, To Maj<sup>r</sup> Thomas Smith Two hundred & Eighty  
 Record pounds of Tobbacco, To M<sup>r</sup> William Frisby Two hundred and  
 Office, Eighty pounds of Tobbacco, To Maj<sup>r</sup> Thomas Smithson Two hun-  
 London, dred and Eighty pounds of Tobacco, To M<sup>r</sup> Robert Smith Two  
 C. O. 5, hundred and Eighty pounds of Tobbacco, To M<sup>r</sup> William Hemsley  
 Vol. 731, Two hundred and Eighty pounds of Tobacco, To M<sup>r</sup> John Pollard  
 Maryland, From Two hundred and Eighty pounds of Tobbacco, To M<sup>r</sup> Henry  
 1694-1702, Acts Hooper Two hundred & Eighty pounds of Tobbacco, To M<sup>r</sup> John  
 Ennalls Two hundred & Eighty pounds of Tobbacco, To M<sup>r</sup> Tho:  
 Hicks Two hundred & Eighty pounds of Tobbacco, To M<sup>r</sup> Matthew  
 Scarborough Two hundred & Eighty pounds of Tobbacco, To  
 M<sup>r</sup> Francis Jenkins Two hundred and Eighty pounds of Tobbacco,  
 To M<sup>r</sup> Thomas Dixon Two hundred and Eighty pounds of Tobacco,  
 To M<sup>r</sup> John Boseman Two hundred and Eighty pounds of Tobacco,  
 To Col<sup>t</sup> William Peirce Eighty pounds of Tobbacco, To Nathan<sup>l</sup>  
 Foster and Thomas Moles each five hundred and fifty pounds of  
 Tobbacco which in all amounts to Eleven hundred pounds of Tob-  
 bacco, To Col<sup>t</sup> Nicholas Greenberry Three hundred pounds of  
 Tobbacco, To Col<sup>t</sup> Charles Hutchins Three hundred pounds of  
 Tobbacco, To Col<sup>t</sup> David Browne Three hundred pounds of Tob-  
 bacco, To James Frisby Esq<sup>re</sup> Three hundred pounds of Tobbacco,  
 To Manus Devoren Six hundred and Fifty pounds of Tobbacco, To  
 Co<sup>h</sup> Ninian Beale one Thousand and Fifty three pounds of Tobacco,  
 To Col<sup>t</sup> Ninian Beale more Three Thousand and three pounds of Tob-  
 bacco To Lancelett Todd Thirteen hundred and twenty pounds of  
 Tobacco, To Maj<sup>r</sup> Robert King Two Thousand five hundred and  
 Twenty pounds of Tobbacco, To the Hon<sup>ble</sup> Sir Tho: Lawrance  
 Three Thousand four hundred and Forty pounds of Tobbacco, To  
 M<sup>r</sup> Rich<sup>d</sup> Beard Three Thousand Two hundred pounds of Tobacco,  
 To M<sup>r</sup> James Bray Two hundred pounds of Tobbacco, To Josiah  
 Collins Two hundred and Ninety pounds of Tobbacco, To M<sup>r</sup> Van-  
 sweringen for W<sup>m</sup> Bladen Thirteen hundred and Fifty pounds of  
 Tobbacco, To Stephen Blatchford Two hundred pounds of Tobacco,  
 To W<sup>m</sup> Bladen more Three Thousand pounds of Tobbacco, To  
 Col<sup>t</sup> Henry Ridgeley for John Ham one Thousand pounds of Tob-  
 bacco, To Co<sup>h</sup> John Addison nineteen hundred and Eighty pounds  
 of Tobbacco, To Tho: Brookes Esq<sup>re</sup> Nineteen hundred and Eighty  
 pounds of Tobbacco, To Thomas Brookes Esq<sup>re</sup> more Three hun-  
 dred pounds of Tobbacco to Co<sup>h</sup> George Rhobotham Eighteen  
 hundred and Twenty pounds of Tobacco, To Co<sup>h</sup> John Addison  
 more Six hundred and Twenty five pounds of Tobbacco, To Co<sup>h</sup>  
 John Addison more for Warner Two hundred and Fifty pounds of  
 Tobbacco, To Kenelm Chesledyne Esq<sup>re</sup> Two Thousand five hun-  
 dred & Eighty pounds of Tobbacco, To M<sup>r</sup> Philip Clark Two Thou-  
 sand four hundred & forty pounds of Tobbacco, To Capt<sup>a</sup> Thomas  
 Waughop Two Thousand five hundred and Eighty pounds of Tob-  
 bacco, To Maj<sup>r</sup> William Dent Two Thousand One hundred and

forty pounds of Tobbacco, To Maj<sup>r</sup> James Smallwood Two Thousand four hundred and Twenty pounds of Tobbacco, To Capt<sup>a</sup> Philip Hoskins Two Thousand Two hundred and Eighty pounds of Tobbacco, To Capt<sup>a</sup> Tho: Tasker Two Thousand four hundred and Twenty pounds of Tobbacco, To M<sup>r</sup> Francis Huchins One Thousand four hundred and forty pounds of Tobbacco, To M<sup>r</sup> James Cranford seven hundred and forty pounds of Tobacco, To M<sup>r</sup> Walter Smith Two Thousand four hundred and Twenty pounds of Tobbacco, To M<sup>r</sup> William Hatton Two Thousand four hundred and Twenty pounds of Tobbacco, To Co<sup>th</sup> Ninian Beale Two Thousand four hundred and Twenty pounds of Tobbacco, To Maj<sup>r</sup> W<sup>m</sup> Barton Thirteen hundred pounds of Tobbacco, To M<sup>r</sup> W<sup>m</sup> Hutchinson Two Thousand four hundred and Twenty pounds of Tobbacco, To Maj<sup>r</sup> John Hammond Two Thousand Two hundred and sixty pounds of Tobbacco, To Capt<sup>a</sup> Richard Hill nineteen hundred & sixty pounds of Tobbacco, To Maj<sup>r</sup> Edward Dorsey Two Thousand one hundred pounds of Tobbacco, To M<sup>r</sup> James Saunders Two Thousand two hundred and Sixty pounds of Tobbacco, To M<sup>r</sup> Edward Boothby Two Thousand four hundred and Twenty pounds of Tobbacco, To M<sup>r</sup> John Ferry Two Thousand four hundred and Twenty pounds of Tobbacco, To M<sup>r</sup> John Hall Two Thousand four hundred and Twenty pounds of Tobbacco, To M<sup>r</sup> George Ashman Two Thousand four hundred and twenty pounds of Tobbacco, To Col<sup>t</sup>. Casparus Harman Two Thousand pounds of Tobbacco, To Maj<sup>r</sup> John Thompson fourteen hundred & forty pounds of Tobbacco, To M<sup>r</sup> Edward Blay Two Thousand pounds of Tobbacco, To Co<sup>th</sup> John Henson Thirteen hundred and Twenty pounds of Tobbacco, To Maj<sup>r</sup> Thomas Smith Two Thousand and Twenty pounds of Tobacco, To M<sup>r</sup> W<sup>m</sup> Frisby thirteen hundred pounds of Tobbacco, To Maj<sup>r</sup> Tho: Smithson Two Thousand four hundred and Twenty pounds of Tobbacco, To M<sup>r</sup> W<sup>m</sup> Hemsley Two Thousand four hundred and Twenty pounds of Tobbacco, To M<sup>r</sup> W<sup>m</sup> Coursey Two Thousand four hundred and Twenty pounds of Tobbacco, To M<sup>r</sup> John Pollard Two Thousand Six hundred pounds of Tobbacco, To M<sup>r</sup> Henry Hooper Two Thousand Six hundred pounds of Tobbacco, To M<sup>r</sup> Thomas Hicks Two Thousand Six hundred pounds of Tobbacco, To M<sup>r</sup> Francis Jenkins Two Thousand Six hundred pounds of Tobbacco, To M<sup>r</sup> Thomas Dixon Two Thousand Six hundred pounds of Tobbacco, To M<sup>r</sup> Matthew Scarborough Two Thousand Six hundred pounds of Tobacco, To M<sup>r</sup> John Bozman Two Thousand six hundred pounds of Tobacco, To Thomas Blackwell for James Baker seven hundred pounds of Tobbacco, To Thomas Blackwell more one hundred and four pounds of Tobbacco, To Thomas Blackwell more four hundred ninety six pounds of Tobbacco, To Cecill County seven hundred and twenty pounds of Tobbacco, To Kent County seven hundred and twenty pounds of Tobbacco, To Talbott County seven hundred and twenty pounds of Tobbacco, To Dorchester County seven hundred and twenty pounds of Tobbacco, To Summer-

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Record  
Office,  
London.  
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Public sett County seven hundred and twenty pounds of Tobbacco, To M<sup>r</sup>  
 Record Edward Jones Two hundred and Eighty pounds of Tobbacco, To  
 Office, James Frisby Esq<sup>re</sup> Two Thousand five hundred and seventy pounds  
 London. of Tobbacco, To Nicholas Greenberry Esq<sup>re</sup> Two Thousand Four  
 C. O. 5. hundred and Tenn pounds of Tobacco, To Charles Hutchins Esq<sup>re</sup>  
 Vol. 731. Maryland. Two Thousand five hundred & Eighty pounds of Tobbacco, To Co<sup>th</sup>  
 From 1694-1702. David Browne Two Thousand seven hundred & Thirty pounds of  
 Acts Tobbacco, To Maj<sup>r</sup> Edward Dorsey Two Thousand Two hundred  
 and ninety pounds of Tobbacco, To M<sup>r</sup> Vansweringen for M<sup>r</sup> Watt-  
 kins five hundred and sixteen pounds of Tobbacco, To M<sup>r</sup> Henry  
 Wriotheshly seventeen hundred Fifty four pounds of Tobbacco, To  
 M<sup>r</sup> Henry Wriotheshly more four hundred and seventeen pounds of  
 Tobbacco, To Henry Mathews four hundred and Eighty pounds  
 of Tobbacco, To Orlando Grinsled Two hundred pounds of Tob-  
 bacco, To Richard Kilbourn Eight hundred pounds of Tobbacco,  
 To William Guyther Eighty pounds of Tobbacco, To Maj<sup>r</sup> Edward  
 Dorsey Eight hundred pounds of Tobbacco, To M<sup>r</sup> George Tubman  
 Twelve hundred pounds of Tobbacco, To John Murry four hun-  
 dred pounds of Tobbacco, To Christopher Gregory Eight hundred  
 pounds of Tobbacco, To M<sup>r</sup> Vanswarengen Two hundred pounds of  
 Tobbacco, To Maj<sup>r</sup> Edward Dorsey One hundred and Eighty  
 pounds of Tobbacco, To M<sup>r</sup> Henry Wriotheshley Eight hundred  
 pounds of Tobbacco, To M<sup>r</sup> Sam<sup>l</sup> Wattkins four hundred pounds  
 of Tobbacco, To Capt<sup>a</sup> William Holland Sergeant at armes Two  
 Thousand pounds of Tobbacco, To Capt<sup>a</sup> John Bayne Two Thousand  
 three hundred pounds of Tobbacco, To M<sup>r</sup> Henry Denton Two  
 Thousand pounds of Tobbacco, To Ditto M<sup>r</sup> Denton more four  
 Thousand pounds of Tobbacco, To James Baker dore Keeper  
 Twelve hundred pounds of Tobbacco, To John Newton Drum<sup>er</sup>  
 Eight hundred pounds of Tobbacco, To the severall Sheriffs for col-  
 lecting the sum of Sixteen Thousand Two hundred sixty five pounds  
 of Tobbacco,

And be it further Enacted by the Authority aforesaid that the  
 aforesaid Sum of Tobbacco, amounting in the whole to the Sum of  
 One hundred seventy eight Thousand Nine hundred Thirty Three  
 pounds of Tobbacco, be levyed and assessed by an Equall assessment  
 upon the Bodys or Estates of the Inhabitants Taxables of this Prov-  
 ince and paid to the severall Persons to whom the same is due as  
 aforesaid, Any Law Statute Usage or Custome to the contrary  
 thereof Notwithstanding

Acts of An Additional Act to the Act of Assembly Entituled an Act for  
 June, 1697, speedy Justice for small Debts.  
 ch. 2  
 [Other Acts Whereas by an Act of Assembly made at a Sessions of a Generall  
 of this year Assembly held at the Port of Annapolis the 16<sup>th</sup> day of September  
 are printed in Vol. 19 1696 It was Enacted that no County Courts within this Province  
 of the should hold plea or have Jurisdiction for the hearing trying or  
 Archives]



determining of any action or Actions before them brought Either by bond bill or Assumption reckoning or account, wherein the demand made doth not exceed the Sum of 200<sup>lbs</sup> of Tobacco And that whereas the Provinciall Court of this Province by another Act of Assembly is limited not to hold plea in any action under 1500<sup>lbs</sup> of Tobacco but boath these good Laws are Evaded by such who many times prosecute Suits of Contention rather than necessity when though the demand be more than either 200<sup>lbs</sup> Tobacco in the County Courts & 1500<sup>lbs</sup> of Tobacco in the Provinciall yet upon tryall it many times appears that the just Ballance is under, for prevention of which Bee it Enacted by the Kings Most Excellent Maj<sup>ty</sup> etc. that in all Actions that shall be commenced & brought by any Person or Persons in any of the County Courts of this Province, after the publication of this Law wherein upon Tryall it doth appear to the Court that the Just Ballance is under 200<sup>lbs</sup> Tobacco or Sixteen shillings & Eightpence sterling in mony the party shall be non suited & that Judgment shall not be given in any County Court of this Province to any Person or Persons that sue in the same for a less Sum then 200<sup>lbs</sup> of Tobacco, or sixteen shillings & 8<sup>d</sup> in mony but that the plaintiff shall be non suited as aforesaid And in any action or actions after the end of this Sessions of Assembly that shall be brought in the Provinciall Court of this Province and upon Tryall if the Debt or damage sued for appears to the said Court to be under 1500<sup>lbs</sup> Tobacco or £6:5<sup>s</sup>:0<sup>d</sup> shillings [sic] in mony the plaintiff shall not recover any cost of Suite in the same. And be it further Enacted by the Authority aforesaid that his Maj<sup>ty</sup>s high Court of Chancery within this Province shall not hear try or determine or give relief in any cause or causes wherein the originall debt or damage doth not amount to the sum of 1201<sup>lbs</sup> of Tobacco but that the Judgment of the County Courts of this Province for 1200<sup>lbs</sup> of Tobacco or five pounds in mony according to an Act of Assembly of this Province shall be finall this Act to Endure for Three years or to the end of the next Sessions of Assembly which shall first happen.

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An Act assertaining how and when Execution may be granted for publick Officers Fees.

Acts of  
June, 1697,  
ch. 3

Because it hath been represented to this present Generall Assembly that the good people of this Province have been heretofore much grieved in having Execution Issue out against there bodys or goods for divers publick Officers Fees before the servis [sic] of which such Fees became due was finished or the record thereof perfectly made up for prevention whereof for the future Bee it Enacted by the Kings Most Excellent Maj<sup>ty</sup> by & with the advice of this present Generall Assembly & the Authority of the same, that for the future no Court

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Acts

of Record or Justice or Magistrate shall grant or signe Execution for any publick Officers Fees which Execution is given by Law Either to the Hon<sup>ble</sup> the Secretary, Chancellour, Commissary, County Clark, Councill Clark or other Publick Officer or Clark till such Officer or Clerk or other Lawfull Clerk or Deputy that actually exercises such office maketh oath that the Servis for which such Fees are charged is done & compleatley finished, & if it depends upon any matter of record, that the record thereof is fairly entred up and compleated & that he hath examined the Fees therein charged by the Law & that he hath not willfully charged any Fee or Fees therein contrary to Law but in all respects agreeable to Law to the best of his knowledge which Oath shall be mentioned by the Court or Justice that signes such Execution that it was duely made before Execution signed, & if it appeir that any such Officer hath willfulley sworne false in such Oath he shall be punished as for willfull & corrupt perjury. And be it further Enacted that If any such Publique Officer as aforesaid shall willfulley Omitt or neglect makeing Enttring up & compleating any matter or thing of Record by him to be Entred up finished & recorded by the Space of six months after the time that the same was transacted & done & fitt to be Entred up he or they so neglecting or Omitting by the time aforesaid shall loose and forfeit all such fees & profitts as by the same he might have charged required and demanded unless such Officer or Clark can make apeir that it was hindred or prevented for Executeing & performeing the same by Sicknes lameness or any such like unavoidable Impediments. And to prevent any Errors in enttring the Judgment & Orders of Court both of Previntiall or other inferiour Courts in Court time, Bee it Enacted by the Authority aforesaid that the Minutes and Entreys of Every day shall be red over the next morning the first thing that is done by the Court in open Court, that if any mistake have hapned it may be then & their rectified & amended. And this meothod to be observed as well in proventiall as County Courts or other Courts of record in this Province, and the Clerks of the severall Countys & Proventiall Courts are hereby obliged to draw out a fair Coppy of his minutes of the foregoing day & present to the Justices every morning to be Red over & examined as aforesaid. And that the Records of the County & Proventiall Court may not faile to be duely entred up between Court and Court, the Justices of the Proventiall and County Courts are hereby oblided to appoint two of their brethren at the beginning of every Court to Examen if the Records of the preceding Court are duly entred up, & if they are not that the Justices take care to informe the Hon<sup>ble</sup> the Secretary thereof that care may be taken theirin this Act to endure for three years or to the end of the next Sessions of Assembly which shall first happen.

## An Act for the Reformatiō of Jeofailes in Maryland.

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Office,  
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Maryland.  
From  
1694-1702.  
Acts  
Acts of  
June, 1697,  
ch. 7

Whereas their have been several good & wholesome Statutes of England made to reform Jeofailes and mispleadings after the Matter of fact found and return'd by 12 men of a Jury which is in force in this Province & yet many Errours & Mispleadings happen in this Province in many County Courts not remided by the said Law for want of able & knowing Attorneys & Clerks whereby many honest Persons are frustrated of the End & benefitt of their Suit who have upon just and good cause recovered in the County Courts by writts of Errour & appeal brought upon the same Judgment before the Judges of the proventiall Courts who being sworne must judge according to Rules of Common Law to prevent which mischiefs for the future Wee the Burgesses & Delegates of this present Generall Assembly doe humbly pray it may be Enacted

And be it Enacted by the Kings most Excellent Majesty that in all actions heretofore brought in any County Courts or hereafter to be brought in any County Courts where any plaintiff hath or shall recover or where any Diffendant hath or shall non suit the Plaintiff or otherwise by matter of fact barr the Plaintiff by & in the Judgment of the Justices of the County Courts where such causes was try'd if it appeires by the Record to be submitted to the Justices by consent of the Partys or their Attorneys in Court it shall be accepted deemed taken & reputed by the Justices of the Proventiall in a Writt of Error or appeal to avale & benefitt the plaintiff recovering to all intents and purposes as much as if the same matter as to the fact had been found tryed & returned by a Jury of 12 men any Law Statute or Usage to the Contrary Notwithstanding. And because many Judgements may have been heretofore given in divers County Courts which may remaine Imperfect & insufficient in Law & thereby subject to be reversed by Errour according to the strickt rules of Law, Therefore to prevent any futuer trouble or suit between any partys thereon or any Judgement that hereafter may be given in any County Court in this Province Bee it Enacted by the Kings Most Excellent Maj<sup>ty</sup> etc. That in all Judgements given in any County Courts which ap-peres to be given above one year last past & no Writt of Errour brought thereon in six months after the date of this Act and all and Every Judgement of any County Court that may happen to be given in any County hereafter in any Personall action where unto no writt of Errour is brought in one year from the granting such Judgment the Partys thereby recovering either by verdict or Judgment of the Court shall be for ever theirow in peace & Injoy the benefitt of such Judgment without any revercall by writt of Errour or attaint where they are not brought within one year after the granting of such Judgment Person under age or non Compos mentis under coverture or not resident in this Province during such defect & not Longer allways Excepted & foreprized any Law Statute usage to the contrary

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in anywise notwithstanding. This Act to Endure for three years or to the end of the next Sessions of Assembly which shall first happen.

An Act for quieting the Differences arising between the Indians and English in private Controversys.

Because many differences have heretofore arisen & hereafter may arise between the Indians belonging to the Nations of Indians under our protection & freindship and dwelling amongst us & the English in private & personall matters which for want of a convenient and speedy way of determining cause great trouble & inconveniency to Partys concerned as well the offended as offenders their being no regular way of hearing and determining the same but by the Governour & Councill which would be very chargeable to the Province by bringing them hither for the prevention whereof for the future and giving speedy redress in such cases Bee it Enacted by the Kings Most Excellent Maj<sup>ty</sup> etc. that the Persons hereafter in this Act mencōned be and are appointed authorized & Impowred dureing the continuance of this Act upon application to him or them made to hear and determine all differences quarrells & controversies that hereafter may happen to arise between any Indians & English, to [sic] private & personall controversies in their severall & respective precincts, That is to say for the Nation of Choptico Indians in St. Marys County & the English Inhabitants adjacent M<sup>r</sup> Richard Clowd & M<sup>r</sup> Ralph Foster & for the Nations of Ackocick Nanjemoy Pomunky & Piscattoway and those that Inhabit within Charles & Prince Georges County & the English Inhabitants thereunto adjacent Col<sup>t</sup> John Addison & M<sup>r</sup> W<sup>m</sup> Hatton, And for the Indians in or on the frontiers of Ceecill County & the English thereunto adjacent Co<sup>th</sup> W<sup>m</sup> Peirce & Maj<sup>r</sup> John Thompson And for those Nations of Indians of Nanticock Babcoes Ahatchwoops in Dorchester County and the inhabitants thereunto adjacent Maj<sup>r</sup> Tho: Ennols & M<sup>r</sup> Tho: Hicks and for those Nations of Indians of Manoakin Rockawakinmany and others in Summersett County & the Inhabitants thereunto adjacent Walter Laine & Rowland Bevons who are hereby authorized and Impowred to hear and determine all Personall differences that may happen or arise between the Indians and English provided the same be only private & of no great moment or consequence not tending to a nationall concerne in all such cases & where either party desire to appeal to the Govern<sup>r</sup> and Councill or refuse to observe & performe such Sentence of such persons appointed as aforesaid in all such cases the persons appointed to hear and determine such matters shall transmitt the partys over to the Govern<sup>r</sup> & Councill and make report to the Govern<sup>r</sup> & Councill how he findes the matter between the partys, And any partys that shall wilfully and contemptiously refuse or neglect to obey & performe the order & determination of such person or persons so appointed as



aforesaid shall appeal to the Govern<sup>r</sup> & Council upon complaint made of such persons willfull & negligent non performance as aforesaid shall and may be sent for before the Govern<sup>r</sup> and Council and their punished or bound over to answer the contempt as to Justice shall appertaine, & if any such differences shall happen between any Indians & English in any County in the Province where particular persons are not assign'd to hear and determine such differences as aforesaid the same shall & may be heard & determined by any Justice of the peace in the County aforesaid according to the Rules aforesaid. Provided & it is the true intent & meaning of this Act, That any Indians that shall be or reside among the said nations of Indians shall be deemed & taken as part of the said nation or nations in point of differences as aforesaid This Act to endure for three years or to the end of the next Sessions of Assembly which shall first happen.

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1694-1702.  
Acts

An Act for the Ascertain<sup>g</sup> what shall be the Sheriffs Duty in & upon Returnes by them made for Publick Dues & Officers Fees.

Acts of  
June, 1697,  
ch. 10

Whereas it hath been represented to this present Generall Assembly that the publick Credit of this Province is not only much impaired by the neglect and sinister Ends of Sheriffs to whome the Collection of publick dues are Committed they often converting the first & best of Publick Tobbacco to their private use Whereby the Country Creditors become frustrated of the use and benefit of such their Just dues Seldome having any accounts thereof untill the conveniencies of Shipping or disposing of the same be over for that yeare wherein it becomes due to them as aforesaid But also the good people of this Province much abused and unjustly taken in Execution for Fees due to the severall publick Officers occasioned by the false & undue retournes of the Sheriff aforesaid who frequently upon the passing there accounts with such Officers retourne sundry of their Debtors in arrears against whome the year ensuing Execution goes forth de Novo Notwithstanding they have justly payd their dues as aforesaid And the succeeding Sheriff to whome such arrears are committed to collect for Sueer of there Fees often takeing such person in Execution notwithstanding their produceing receipts for the same to their great grievance & damage to the End therefore that the Country Creditors may for the future no more be delay'd from gitting in such publick Debts as to them are due & payable nor the good people of this Province unjustly greived & Executed for such Fees for which they produce receipt or can otherwise make appear to be payd,

It is humbly prayed that it may be Enacted by the Kings most Excellent Maj<sup>ty</sup> etc. That yearly & every year from & after the Publication hereof no Sherifff within this Province shall convert make use of or dispose of any publick Tobbacco or Officers Fees within their County by them Collected untill such time as he or they have fully

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paid & satisfied all such su<sup>m</sup> or sum<sup>s</sup> of Tobacco from them due and payable to such persons Creditors of the Country to whome the same is ordered & appointed & to the severall Officers such there Fees as by them have been collected as aforesaid & in case any Sheriff after the publication hereof shall presume to convert make use or dispose of any publick Tobacco or Officers Fees within their Countys by them Collected contrary to the true intent and meaning of this Act that then & in every such case it shall be at the Choice of such person or persons as are hereby agreived for redress of the damage sustained Either upon application made to the Govern<sup>r</sup> of this Province for the time beinge to put his or their bond or bonds in Suit or upon manefest proof thereof by one or more Evidences either before the Justices of the County Courts whereto they belong in Court Sitting or before any two of them out of Court to have and demand of such Court or two Comissioners as aforesaid Execution to the Coroner of the County directed against such Sheriff for such & so much Tobacco as to them shall appear to be due, Either by *capias ad satisfaciendum* or *fieri facias* at the choyce of such person or persons as aforesaid together with double the su<sup>m</sup> of Tobacco as the Sallery thei<sup>r</sup>of did amount to & such Execution so granted for the debt and damages Either from the County Courts or any two of the Commissioners in forme as before is Expressed shall be made returnable to the next County Courts and their Lodged amongst the Records thereof and to be adjudged deem'd and taken as valid in Law as any Execution founded upon an Originall process of what nature or qualitie soever provided this act nor nothing therein contained be construed or taken to allow any person or persons agrieved the benefitt & advantage of both remedies, but that such person or persons agrieved as aforesaid who shall make use of any one of the remedies before in this Act prescribed for recovering of his debt and damage the same shall be as a perpetuall Barr to such person or persons taking any hould benefitt or advantage of the other anything herein contained to the contrary Notwithstanding. And to the End no Officer or other person may be surprized or unjustly molested Either upon the account of Collection or payment of Publick dues Bee it likewise Enacted that no person or persons having publick Tobacco to them due or Fees in any Sheriffs hands to Collect & that doe not signifie to such Sheriff or Sheriffs their dependance and resolution of making use of the same on or before the 20<sup>th</sup> day of December in the year the [sic] same to him or them shall have take or demanded any benefitt or advantage of either of the remedies in this act before prescribed for that present year and soe every year successively nor shall the Sheriff of each respective County Levey by way of Execution for any publick dues or Officers Fees on any of the Inhabitants within his Balwick where they have not made demand thereof on or before the 20<sup>th</sup> day of December aforesaid for that present year and so every year Successively as aforesaid & where any such person or persons having publick Tobacco or Fees in such Sheriffs hands & have made their

demands theirow as aforesaid or the said Sheriff demanded any publick dues or Officers Fees of the respective Inhabitants within his Balwick within the time before Limited such demandant shall be obliged to take the same & discharge the Debtors for such and so much as by him shall be received & upon refusall of receiveing thereof the said Tobacco so intended to be payd as aforesaid being vewed and found Merchandable by two honest men of the neighbourhood shall be weighed & marked for the use of such demandant & be a sufficient discharge to the person or persons paying the same for so much as the Sum theirow shall amount unto provided allwayes that it is the true intent and meaning hereof that the same be tendred on or before the 20<sup>th</sup> day of April otherwise such Tobacco to lay at the resque of the Sheriff or others intended to receive advantage any thing herein to the contrary Notwithstanding. And be it further Enacted by the Authority aforesaid That no Sheriff within this Province having publick Officers Fees to Collect shall presume to Levey by Execution on any of the Inhabitants within this Province any Fees to him Committed to Collect where the person or persons from whom such Fees shall appeir to be due produce the former Sheriffs Receipt or otherwise make appeir payment of the same under the forfeiture & penallty of treble the Sum Executed to the party or partys grieved with cost to be recovered by action of Debt bill plaint or information wherein no Essoyn protection or Wager of Law to be allow'd. And to the End the publick Officers having Fees in the Sheriffs hands may yearly & every year be timely advised of the State and Condition of their Debtors (to Witt) who have paid the former Sheriff, who Indign<sup>t</sup> [sic], who run away or dead, insolvent, & who paid or from whome they might expect pay the same year, such Fees are comitted to such Sheriff to collect, the better to informe themselves what measures to take and how to dispose of the same. Bee it also further Enacted by the Authority aforesaid That the respective Sheriffs having such publick Officers Fees in their hands to collect shall yearly and every yeare account twice for the same the first of which accounts to be rendred by or upon the 10<sup>th</sup> day of December at the port and Towne of Annapolis to which Officer or Officers or others by them assigned to receive the same. The other at or upon the 10<sup>th</sup> day of Aprill yearly & every year successively at the time of boath which accounting the severall Sheriffs haveing made themselves Debt<sup>r</sup> to the List of Fees Received of each respective Officer shall give himselfe Cred<sup>t</sup> by each respective Debt<sup>r</sup> in the said List nominated in form as followeth & as the nature of such Creditt shall require.

By A. B. Rec<sup>d</sup> in p<sup>t</sup> or whole.

By C. D. Run away Leveing no Effects

By E. F. poor & not able to pay this year

By G. H. Object ag<sup>st</sup> the Account refuse to pay

By I. K. Produces receipt pay'd in p<sup>t</sup> or whole

By Sallery for Receveing

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And to the said Accounts when stated as aforesaid shall make Oath that neither directly nor indirectly by himselfe or any other to his use hath he alienated converted made use or disposed of any Fees by him Collected but that he hath realy and bona fide accounted for all such Sum or Sum̃s of Tobacco as by him has been Collected belonging to such officer or officers as aforesaid & for asmuch as the Sheriffs Bonds have of late yeares been usualley taken in the County Courts for the better conveniency of Sheriffs getting Security without any certain forme thereof prescribed from whence arises many inconvenyences as well to the publick Creditors as to the Officer and others with such Sheriff concerned

Bee it therefore likewise further Enacted by the Authority aforesaid That all the Sheriffs bonds hereafter be [sic] taken throughout this Province shall be made in manner and form following, viz.

### Maryland

Know all men by these presents that wee A. B. C. D. & E F of the County of G. in the Province aforesaid Gent<sup>m</sup> are holden & firmly bound unto his Sacred Maj<sup>ty</sup> King William The Third in the full sum̃ & just quantity of 200 000<sup>lbs</sup> of good sound & Merchandable Leaf Tobacco & Cask to be paid unto his said Maj<sup>ty</sup> his Heires & Successo<sup>rs</sup> to the w<sup>ch</sup> payment well and truly to be made wee binde our selves & Either of us our and Every & Either of o<sup>r</sup> Heires Executr<sup>s</sup> & Administratr<sup>s</sup> Joyntly & Severally for the whole & in the whole firmly by these presents as Witness o<sup>r</sup> hands & Seales the day of the year of his Maj<sup>ty</sup>s Reign Anno Do<sup>m</sup>.

The Condition of the above Obligation is such that if the above bounden A. B. doe well and truly serve his said Maj<sup>ty</sup> his Heirs & Success<sup>rs</sup> in the Office of high Sheriff of the said County of G. within this Province aforesaid & allso shall render unto his said Maj<sup>ty</sup> & others his Officers a true faithfull & perfect account of all and singular his said matters rights and dues & to his Officers a just and true account of their fees that he shall or may be intrusted with by his Maj<sup>ty</sup>s Govern<sup>r</sup> & other his Officers within this Province aforesaid to receive and collect & his accounts to his said Maj<sup>ty</sup> his heires and Success<sup>rs</sup> or to his or their Govern<sup>r</sup> here for the time being for the fines forfeitures & other dues belonging to his said Maj<sup>ty</sup>s Govern<sup>r</sup> as also his account of all fees dues or Sum̃s of mony or Tobacco for Leveys or Fees due to any of his Maj<sup>ty</sup>s Officers and other good people within this Province shall pass and account for by the 10<sup>th</sup> of Aprill next ensuing the date hereof and in all other things as Sheriff of the said County of G shall behave himselfe well and honestly to all persons accord [sic] to the best of his power skill and knowledge then this obligation to be voyd and of none effect or Elce to stand in full force strength and vertue &c.



Which said bond when taken if by the County Courts in form as aforesaid shall be by the Com<sup>rs</sup> thereof transmitted into the Secretaries Office together with all other Sheriffs bonds formerly given and now lodged among the County Records to the End all persons injured or grieved may readily know where to apply themselves for redress, and the said Com<sup>rs</sup> before whome such bond shall be taken are hereby required & Injoyed to take new Securetys yearly and every year of such Sheriffs so long as they shall continue in the said Office having speciall regard not to admitt any person to be security aforesaid but such as are good & substantiall house holders within their County, and for Encouragement of such persons now bearing or that shall hereafter bear the said office of Sheriff & who shall pontualley comply with the Countrys Credit<sup>ts</sup> for repairing the Credit which of late years it hath lost, It is also hereby further Enacted that it shall and may be Lawfull for his Maj<sup>ty</sup>s Govern<sup>r</sup> of this Province for the time being where no just complaint is made against any person or persons bearing the Office of Sheriff aforesaid to continue and make good there Comission for the Time & term of three years successively but no longer any former Act of this Province to the contrary notwithstanding.

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#### An Act for apportioning the publick Levey

Whereas their hath been four hundred & Fifty one Thousand Two hundred & Thirty & Three pounds of Tobacco expended laid out and disbursd by severall the inhabitants of this Province in discharge of the publick debts of this Province. Therefore be it Enacted by the Kings most Excellent Maj<sup>ty</sup> etc. that these severall persons following, viz. M<sup>r</sup> Philip Clerk of St. Marys County Maj<sup>r</sup> Tho: Smith for Kent M<sup>r</sup> John Hammond for Ann arrundell County M<sup>r</sup> Thomas Tasker for Calvert County Capt<sup>a</sup> Philip Hoskins for Charles County M<sup>r</sup> John Hall for Baltimore County M<sup>r</sup> Rob<sup>t</sup> Smith for Talbott M<sup>r</sup> Francis Jenkins for Somerset County M<sup>r</sup> John Pollard for Dorchester County Major John Thompson for Ceecill County M<sup>r</sup> W<sup>m</sup> Hatton for Prince Georges County The present burgeses & Deligates of the said severall and respective Countys, they or the major part of them together with the Hon<sup>ble</sup> Sir Tho: Lawrence Barn<sup>tt</sup> and Tho: Tench Esq<sup>re</sup> two of his Maj<sup>ty</sup>s Hon<sup>ble</sup> Council be & are hereby authorized nominated and appointed a Com<sup>tee</sup> for apportioning the above sum of 451233<sup>ts</sup> of Tobacco allowed to the severall persons according to the Jurn<sup>th</sup> of Committee of Accounts this present Session of Assembly which said severall persons are hereby required & appointed to meet at the Port and towne of Annapolis in the County of Annarrundell on the 11<sup>th</sup> day of October next Ensueing this Sessions of Assembly & so to adjurn

Acts of  
June, 1697,  
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from day to day untill they have fully compleated & Ended the same any former Law or usuage to the contrary notwithstanding.

An Act for apportioning & paying £156..10s

Be it Enacted by the Kings Most Excellent Majty &c<sup>a</sup> That certain Persons appointed by this Generall Assembly this present Sessions to apportion the Publick Levey are hereby Impowred to apportion & pay £156..10s. Sterling Mony according to the directions of a certain Ordinance made this present Sessions of Assembly.

Acts of March, 1697/8, ch. 1  
[Other Acts of this Session are printed in Vol. 22 of the Archives]

An Act for Restraining the Extortions of Sheriffs, Subsheriffs and Deputy Commissaries.

Whereas there hath been divers & great complaints from severall parts of this Province to this present Generall Assembly of severall Sheriffs Subsheriffs and Deputy Commissaries of their Exacting & Extorting great summes of Tobacco above their due & Lawfull Fees ascertain by the Acts of Assembly of this Province from severall of the Inhabitants of this Province. And tho' the Laws of this Province have Inflicted a severe penalty upon any Officer that shall charge & receive more then his due Fees Yett the said Officers have most cunningly & Craftily Evaded the said Laws by taking Bills & Writings Obligatory without ever delivering any Account sign'd under their hand, as the Law directs, so that the party grieved can not sufficiently prove the said Extortions & so is left without remedy for prevention whereof. Be It Enacted by the Kings Most Excellent Majty by & with the advice & consent of this present Generall Assembly & the Authority of the same, that no Sheriffe, Subsheriffe or Deputy Commissary within this Province after the publication of this Act in their severall & respective Countys wherein they dwell, shall take any bond, Bill, or Writting Obligatory of any person or persons upon any pretence whatsoever without Endorsing the accounts on the back of the said bill, bond or Writting Obligatory, for which the same was passed, and if any Sheriffe Subsheriffe or Deputy Commissarys within this Province shall during the tyme that he remaine in his place or Office upon any pretence whatsoever take any Bond, Bill, or Writting Obligatory without indorsing the account on the back of the said Bill, Bond, or writing obligatory aforesaid by which it may appeare upon what consideration the same was taken the said bill, bond, or Writting Obligatory shall be void & of no Effect, and the Officer or Officers that tooke the same, shall Loose his debt and for ever be debarred of suing any other Action for the Recovery of the same, any Law, Statute, or Usage to the Contrary in any wise notwithstanding. And that whereas the said Officers are prohibited from taking any bills upon any pretence whatsoever during the tyme they remaine in Office to the Intent the said Officers may receive no damage by the Act of Assembly for Limitation

of Actions. Be It further Enacted by the Authority aforesaid that the tyme the said Officers remaine in Office shall not be Reckoned nor Accounted in the Act of Limitation and that whereas It hath been the practice of severall Sherriffs of this province where a person hath been in prison at the Suite of two or Three severall persons or hath Layne for the satisfaction of Two or more severall Judgments for the Sherriffe to charge Twenty a day for each action or Judgment for prevention whereof Be It Enacted by the Authority aforesaid that if any Sherriffe after the publication of this Act shall Exact or take any more then Twenty pounds of Tobacco per day of any prisoner thô he lyes for the satisfaction of severall Judgments he shall be Lyable to the paines & penalties of a certain Act of Assembly for settling Officers Fees. This Act to Endure for three Yeares or to the end of the next Session of Assembly which shall first happen.

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An Act for Appointing Court dayes in each respective County within this Province.

[The text of this Act has not been found]

Acts of  
March,  
1697/8,  
ch. 3

An Act for Stay of Executions after the Tenth day of Aprill Yearely.

Acts of  
March,  
1697/8,  
ch. 4

Whereas many of the Inhabitants of this Province are & have been exceedingly grieved & burthened by Executions Laid upon them for Tobaccoe in Summer tyme, when it is not possible for them to produce tobaccoe for the payment & satisfaction of their Creditors by meanes whereof they often tymes [are] kept in prison a long tyme & thereby disabled from making and Tending their Crops to the great prejudice if not Ruine of many the Inhabitants of this Province, being thereby left destitute of any meanes to satisfye their Creditors For prevention whereof for the Future Be It Enacted by the Kings most Excellent Maj<sup>ty</sup> by & with the advice & consent of this present Generall Assembly & the Authority of the same, That after the tenth day of Aprill in any yeare no Execution shall issue out of any the Courts of this Province against the body or goods of any person or persons Inhabiting in this Province till the Tenth day of October next or untill the Tenth day of October in any yeare during the continuance of this Act for any Debt or Debts or upon any Action Judgment or Judgments Issued, had, or recovered against the Inhabitants within this Province in the Provinciall or other County Courts within this Province for any Causes, Matter or thing whatsoever provided such person or persons against whom any such Judgment together with two other persons such as the Justices shall approve off come before one Justice or more of the Provinciall Court, or before the Major, Recorder or any Two of the Aldermen of the City of St. Maryes or Two Commissioners of the Port of Annapolis or Two Justices or more of the respective County Courts where such Judgment is ob-

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tained & confesse Judgment to the party that obtained the Judgment as aforesaid for his Debt & Costs, of suits, adjudged with a Cessat Execution till the Tenth day of October then next following and thereof procure Certificate under the hand of the same Justice or Justices before whom the said Judgment shall be confessed & such Certificate shall be sufficient Supersedas to the Sherriffe to forbear serving Execution upon the body or goods of the person so obtaining such Certificate and if the party be taken in Execution before such Certificate be produced that then such Certificate being obtained afterward as aforesaid shall be a sufficient supersedas to the Sherriffe for the release of such person out of prison upon that Execution the party paying or giving security to such sherriffe for his due Fees for that imprisonment, & the Justice or Justices before whom such Judgment shall be confessed as aforesaid shall returne the Judgment so Confessed unto the Clerk of that respective Court where the first Judgment was obtained to be Entred upon Record for which Entry the Clerk shall receive as a Fee five pounds of Tobacco & no more, & that after the said Tenth day of October It shall be Lawfull to take out Execution upon the Judgment confessed as aforesaid without any Scire facias or any other Delay, any Law, Usage or Custome to the contrary in any wise notwithstanding. And be it Enacted by the Authority aforesaid that a certain Act of Assembly made at a Generall Assembly begun & held at the City of S<sup>t</sup> Maryes the Tenth day of May Anno Domini 1692 Entituled an Act for Stay of Executions after Aprill Court be & is hereby repealed & utterly made voide & of no Effect. This Act to Endure for three Yeares or to the End of the next Sessions of Assembly which shall first happen.

Acts of March, 1697/8, ch. 6

An Act Impowering Commissioners of the County Courts to Levy & raise monyes to defray the Necessary Charge of their Countys.

Forasmuch as in the Intervalls of Assembly in this Province there have been severall necessary Charges Laid out & expended in the severall & respective Countys of this Province by the severall & respective Commissioners of the said Countys and others for the good & welfare & conservation of the peace of this province and of & within the said Countys and which ought to be borne by the severall respective Countys distinctly and have been formerly used & accustomed to be Reimbursed, defray'd, paid and satisfyed by & out of the County Levy, Levyed & assessed by the Commissioners of the said Respective Countys by an Equall Assessment upon the Estates & Persons of the Inhabitants of the said severall & respective Countys but the said Commissioners of the said County Courts not having sufficient Warrant & Authority to raise such Levy

Be it Enacted by the Kings most Excellent Maj<sup>ty</sup> by & with the advice & consent of this present Generall Assembly and by the Authority of the same that for the Future It shall & may be Lawfull



to & for the severall & respective Commissioners of the severall & respective County Courts within this Province at the severall & respective Courts to be held for the said Countys, upon Examination had before them of the publicke Charges of their said severall & respective Countys and Allowances by them made of the same to Levy & raise Tobacco for payment and satisfaction of the said severall & respective County Charges and the Sheriffs Sallary for the Collecting thereof by an Equall Assessment upon the body, goods & Chattles of the Freemen & Inhabitants of the said severall Countys any Act, Law, Custome & Usage heretofore had & made to the contrary in any wise notwithstanding provided allways that the Accounts of the said County Charge be kept upon Record faire written in a booke by themselves sign'd by the Clerk of the said County Court and be returned to his Excellency the Governor & Councill, according to certain Act of Assembly of this Province made at a Generall Assembly held at the port of Annapolis the 30<sup>th</sup> day of Aprill In the yeare of our Lord 1696, and be Lodged according to the directions of the said Act. And Be It Further Enacted by the Authority aforesaid that if the Justices of the severall & respective County Courts shall Levy & pay any account or accounts which by Law is not allowable the said Justices so offending shall forfeite & pay each Justice for such offence the Summe of Five thousand pounds of Tobacco The one halfe to his Maj<sup>ty</sup> his heires and successors for the use of the Free schoole, the other halfe to him or them that shall Informe, or sue for the same, to be sued for & recovered in the Provinciaall Court of this Province by Bill, Plaint or Information where no Essoyn Protection or Wager of Law shall be allowed. And Be It Further Enacted by the Authority aforesaid that a certain Act of Assembly made at a Generall [Assembly] begun & held at the City of S<sup>t</sup> Maryes the tenth day of May in the yeare of our Lord 1692 Intituled an Act Impowering Commissioners of the County Courts to Levy & raise monyes to defray the Necessary Charge of their Countyes. Be & is hereby repealed & made voide. This Act to Endure for three yeares or to the end of the next Session of Assembly which shall first happen.

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An Act for Rectifying the ill practices of the Attornys of this Province & for ascertaining the Attorney Generall and Clerke of the Indictments Fees.

Acts of  
March,  
1697/8,  
ch. 7

Whereas by a certain Ordinance of Assembly made at a Generall Assembly held at the port of Annapolis the 20<sup>th</sup> day of May Anno Domini 1695. It was ordained that the Attorney Generall of this Province should have four hundred pounds of Tobacco Fee for all Actions he should bring upon Bonds taken in the name of our Sovereigne Lord the King & putt in suite in the provinciaall Court of this Province to be paid by the party bound in the said Bond & for all

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Criminall Causes where the Grand Jury shall Finde the Bill in the Provinciaall Court the Attorney Generall to have 400<sup>lbs</sup> of Tobacco & that the Clerks of the Indictments in the severall and respective County Courts should have 200<sup>lbs</sup> of Tobacco of the Criminalls where the Grand Jury found the Bill by colour of the said Ordinance and for Lucre of Fees severall bonds have [been] putt in suite without any default & severall Venires have been Issued before any presentment of the Grand Jury or any Order of the Court so that divers of his Majties good subjects of this province have been unjustly grieved troubled & molested upon very trivial & slight complaints to the said Attorney Generall and to the said Clerks of Indictments. for prevention of which great evill for the Future the Delegates of this present Generall Assembly do humbly pray that It may be Enacted.

And Be It Enacted by the Kings most Excellent Ma<sup>ty</sup> by & with the advice & consent of this present Generall Assembly and by the Authority of the same that after the End of this Sessions of Assembly no summons or other process for any Criminall matter or misdemeanour shall Issue out of any of the Courts of this Province against any person or persons whatsoever without a presentment be first found against the said person or persons by the Grand Jury unless by a speciall order of Court, And if the Attorney Generall or any other Attorney of the Provinciaall Court shall Issue forth summons or any other process against any Person or Persons & no presentment or Order of Court appears upon the Record to Justifye the same the said attorny so offending shall forfeit & pay for such his offence the summe of 5000<sup>lbs</sup> of Tobacco the one halfe to his sacred Ma<sup>ty</sup> for the use of the Free Schoole the other halfe to the party grieved, or to him or them that shall Informe or sue for the same to be Recovered in the Provinciaall Court of this province by Bill, plaint or Information. And if any Clerk of Indictments in any of the County Courts of this province or any other Attorney practising in the said Courts shall Issue forth any Summons or other process against any person or persons for any Criminall matter or Misdemeanour without presentment be found First by the Grand Jury against the said person or persons or speciall order of Court appearing upon Record to Justifye the same the said Clerk of Indictments or other Attorney so offending shall forfeite & pay for such his offence the sume of 2500<sup>lbs</sup> of Tobacco the one halfe to his Ma<sup>ty</sup> for the use of the Free Schoole, the other halfe to the party grieved or to him or them that shall Informe or sue for the same to be Recovered in any Court of this province wherein no Essoyne or protection shall be allowed, Neither shall the party so offending have any appeale or Writt of Error, but the Judgment of the County Court shall be definitive therein. And if the Clerk of the Provinciaall Court of this Province or any of the Clerks of the County Courts of this Province shall Issue Summons or other process without an Order for the same under the

hand of an Attorney practising in the said Court or Courts to Justify the same the said Clerk or Clerks so offending shall be Lyable to the same forfeitures & penalties of Attornys so offending; and the said Forfeitures to be recovered & go to the use as aforesaid. And Be It further Enacted by the Authority aforesaid that the Attorney Generall of this Province shall not recover nor receive any Fee, for any Navigation Bond putt in suite either where the Certificate was before the suite of the said Bond Lodged in the Secretarys Office of this province, or where it can be proved that he knew there was such Certificate returned, neither shall the said Attorney Generall receive or have any Fee for any bond taken for County dues where the said bond appeares not to be forfeited which was the true intent & meaning of the said Ordinance of Assembly. And if the said Attorney General after the end of this session of Assembly shall sue any Bond taken contrary to act of parliament or any bond taken for County dues, and no bills of Exchange appearing protested nor no other Failure to forfeite the said bond or where the Certificate is returned unto the secretaryes or the Office appointed for keeping the same any of which Causes appearing to the provinciall Court the said Attorney Generall shall not only Loose his Fee, but pay the hon<sup>ble</sup> secretary Fees and what other charge the party hath been out in defending the same to be adjudged by the provinciall Court & whereas Severall Persons have been sued in his Ma<sup>ties</sup> name for a certaine sume without ever mentioning for what the said bond was taken so that the said persons doth not know what Course to take, or to whome to apply themselves to. Therefore Be It Enacted by the Authority aforesaid That when any Writt is Issued forth upon a Bond taken in his Ma<sup>ties</sup> Name It shall be Endorsed on the back side as Followeth. If a Navigation Bond, for whom the Person was bound for & in what Yeare. if a Sherriffs Bond, at whose request & prayer It was sued or bond taken in any of his Ma<sup>ties</sup> Offices in this province It shall be Endorsed at whose request It was sued and for want of such Endorsement the Writt shall abate, and the party grieved shall Recover his Cost against the Attorney that sued for the said Writt. And Be It further Enacted by the Authority aforesaid that upon any Presentment of the Grand Jury upon the breach of any of the Penall Laws of this Province save that for suppressing of Criminalls & trying on them in the County Courts if the party presented confesses his crime & submitts to the Court the Clerk of Indictments shall have no Fee for the same, but if the party traverse & puts himselfe upon a Jury then the said Clerk to have 200<sup>lbs</sup> Tobacco Fee: and that upon a Presentment Grounded upon the Law for suppressing Criminalls or upon any Statute of England If Bill be found by the Grand Jury the Clerk of the Indictments shall have 200<sup>lbs</sup> Tobaccoe Fee. And the Clerk of the Indictments shall have two hundred pounds of Tobacco Fee; and that upon Presentment found in the Provinciall Court the Attorney Generall to have

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 Acts of  
 March,  
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An Act for Securing the parochiall Librarys of this Province & that  
 the Care & Charge thereof be committed to some Worthy &  
 Learned Person.

Be It Enacted by the Kings most Excellent Ma<sup>ty</sup> by & with the  
 advice & consent of this present Generall Assembly & the Authority  
 of the same; That the Library appointed for the severall & respective  
 parishes within this Province shall be & remaine in the hands & pos-  
 session of the Minister of the parish: If any Minister be presented  
 appointed or Inducted to the said parish during his residence in the  
 parish aforesaid, who is & shall be obliged to keep & preserve the said  
 Librarys from Waste or Embezelment and be accomptable for the  
 same to the Gov<sup>r</sup> & Councill & Vestry as often as required and to that  
 [sic] for the same as above directed, and shall in all points be answer-  
 able for the same Except by Fire, or such like Accident as aforesaid  
 and for the better preserving & securing the said Librarys The  
 Learned Worthy Doctor Thomas Bray is hereby appointed Chiefe  
 Visitor of all & every the Librarys within the said Province, And  
 be It Further Enacted by the Authority aforesaid that one Act of  
 Assembly made at a Generall Assembly held at the Port of An-  
 napolis the 16<sup>th</sup> day of 7<sup>ber</sup> One thousand Six hundred Ninety &  
 six Be & is hereby repealed & made void and of no Effect.

Acts of A Supplementary Act for Ordinary Keepers and Regulating the  
 March, Number thereof.  
 1697/8,  
 ch. 9

Whereas by a former Act of Assembly Entituled an Act for Or-  
 dinary Keepers & Regulating the number thereof It is Enacted that  
 all Ordinary Keepers within this Province which kept Ordineries at  
 any County Court house should be provided with Twelve spare Beds,  
 and Stabling & provender for 20 horses and that such which kept  
 Ordinaries at other remoter parts should be provided with 6 spare  
 beds &<sup>ca</sup> Since which Act it hath been grievously complained of by  
 divers of the Inhabitants of this Province that through the great  
 Concourse of Travelling Persons they have been very much Op-  
 pressed & neer some of their utter ruines because their Ability hath  
 been such that they could not provide themselves according to the  
 said Act of Assembly for keeping Ordinaries for the remedy of  
 which It is prayed that It may be Enacted And Be it Enacted by  
 the Kings most Excellent Majesty by & with the advice & consent  
 of this present Generall Assembly and the Authority of the same  
 That from & after the publication hereof It shall & may be Lawfull  
 for any Person within this Province to Keep an Ordinary or house  
 of Entertainment in any such place or places as to the Justices of



each respective County shall thinke fitt (those which are kept at Court houses & at the port of Annapolis & William Stad<sup>t</sup> only Excepted) Provided allways that such Ordinary keepers be well provided with four spare beds, and sufficient Stabling & provender for six horses paying to his Ma<sup>ty</sup>s Secretary for this tyme being 400<sup>lbs</sup> Tobacco yearly for their Licence instead of the 1200<sup>lbs</sup> of tobacco in the said former Act of Assembly. And that the said Ordinary Keepers or Inn holders be & Ly under all the penalties, restitutions & forfeitures as in the said former Act is exprest, except before Excepted, and Whereas It hath been found prejudiciall to the Inhabitants of this Province, that such Ordinary keepers or Innholders have frequently Entertained divers Freemen & Loose Persons a great tyme Tipling at their houses as well to many persons great damage as their owne Ruine, Be it Enacted by the Authority aforesaid that It shall not be Lawfull for any such Ordinary Keeper or Inholder to keep such Ordinary or house of Entertainment untill they have passed before the Justices of each respective County granting their Licences a Bond with good Security to the value of 20 l. sterling that they shall not Entertaine any Freeman or other Loose person above 24 hours in their house unless such person be capable to give his Vote for a Delegate in the said County or that they be retained as a Servant to the said Ordinary keeper or Innholder any Law, Custom or Usage to the Contrary Notwithstanding this Law to continue for three yeares or to the end of the next Sessions of Assembly which shall first happen.

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Record  
Office,  
London.  
C. O. 5.  
Vol. 731,  
Maryland.  
From  
1694-1702.  
Acts

An Act of Assembly for deciding differences between Masters & Servants.

Acts of  
March,  
1697/8,  
ch. 12

Whereas It hath been the Common practice of this Province both in Provinciaall & County Courts to heare & determine the complaints of Masters & Servants by way of petition. And that Whereas there hath been severall appeales & Writts of Error brought upon the said Judgments & for want of due & formall proceedings according to the Strict Rule of Law the Judgments have been reversed for prevention whereof Be It Enacted by the Kings most Excellent Ma<sup>ty</sup> by & with the advice & consent of this present Generall Assembly and the Authority of the same that after the end of this present Session of Assembly that It shall & may be Lawfull for the Provinciaall & County Courts of this Province to heare & determine any complaints between Masters & Servants by way of petition To give Judgments & award Executions upon the same, and that upon any appeale or Writt of Error brought upon the same from any County Court of this province to the Provinciaall Court or From the Provinciaall Court to his Excellency the Governour & Councill, No such Judgment shall be reversed for want of Judicciall process, or that the same was not tryed by Jury or any matter of form Either in the Entry or giving

Public of Judgment, provided It appeares by the Record that the parties  
 Record defendant were Legally summoned & not condemned unheard.  
 Office, And Be It Further Enacted by the Authority aforesaid that Ser-  
 London, vants Imported into this province or any servants that binde them-  
 C. O. 5, selves for Yeares within this Province or any bound out by the  
 Vol. 731, County Courts of this Province. That if any matter of dispute arises  
 Maryland. From  
 1694-1702. Either in Relation to their Indentures or Contracts or any other  
 Acts Matter of Difference between the said Masters & Servants The  
 same shall be Tried, heard & determined by petition as aforesaid,  
 any Law, Statute or Usage, to the Contrary Notwithstanding.  
 This Act to Endure for three Yeares or to the end of the next Sessions  
 of Assembly.

Acts of An Act for the more speedy Conveying the Publick Letters and  
 Oct. 1698, Pacquetts of this Province and Settling a Revenue on the Sherriffs  
 ch. 17 for the defraying the Charge thereof.  
 [Other Acts of this Session are printed in Vol. 22 of the Archives]  
 Forasmuch as<sup>c</sup> Severall of the inhabitants of this Province haveing  
 been formerly subject to great and manifest inconveniencys by  
 reason of pressing horses under pretext of carrying and conveying  
 of publick Letters and packetts for prevention whereof And that  
 due care may be taken for the future that all Publick Letters and  
 Pacquetts relateing to his Ma<sup>y</sup> or publick service of this Province  
 be Securely and Expeditiously Conveyed according to theire Direc-  
 tions The Delegates of this generall Assembly do pray that it may  
 be Enacted And be it Enacted by the Kings most Excellent Ma<sup>y</sup>  
 by and with the advice and Consent of this present generall Assembly  
 and the Authority of the same That the Sherriffe of each respective  
 County is hereby Enjoyned and Commanded to take Care of all  
 Publick Letters and Pacquetts and Expeditiously to Convey them  
 according to theire directions to the next Sherriffe or undersherriffe  
 of the adjacent County And for the Encouragement of the severall  
 & respective Sherriffes and theire diligence in Conveying such Letters  
 and packetts That they be allowed the severall Sum<sup>s</sup> hereafter Ex-  
 pressed to be layd in the publicque leavy of this Province (Viz<sup>t</sup>) To  
 the Sherriffe of Anne Arundell County fifteen hundred pounds of To-  
 bacco who is also hereby obliged to Convey all such Letters and  
 packetts as are directed and must go over to the Easterne Shoar  
 to Kent Island and there to be delivered to the Sherriffe of Talbott  
 County or his Deputy, to the Sherriffe of Talbott County fifteen hun-  
 dred pounds of Tobacco who is hereby also obliged to Convey all  
 such Letters and Pacquetts that are directed to the Porte of Annapolis.  
 To the Sherriffe of Kent County 8 hundred pounds of Tobacco who is  
 also obliged to Convey all such Letters & Pacquetts that are directed  
 to the Porte of Annapolis to Kent Island and deliver them to the  
 Sheriffe or under Sheriffe of Talbott County (Except he can con-  
 vey them more ready and Expeditious way to Annapolis) who is also  
 hereby obliged to Convey all such Letters and Pacquetts to the

Porte of Annapolis as aforesaid. To the Sherriffe of Cecill County one Thousand pounds of Tobacco who is hereby also Oblieged to Convey all such Letters and pacquetts as are directed to the Northward to the Town of Newcastle upon Deleware To the Sherriffe of Dorchester County Eight hundred pounds of Tobacco. To the Sherriffe of Sumersett County five hundred pounds of Tobbacco To the Sherriffe of Calvert County Eight hundred pounds of Tobbacco To the Sherriffe of Prince George's County one Thousand pounds of Tobbacco To the Sherriffe of St. Mary's County Eight hundred pounds of Tobbacco To the Sherriffe of Charles County one Thousand pounds of Tobbacco To the Sherriffe of Baltemore County Eight hundred pounds of Tobbacco. which said severall & respective Sums of Tobbacco shall be allowed and paid to the Severall and respective Sherriffs as aforesaid in Consideration whereof the Sherriffs of the severall and respective Countys shall defray all such Charges as shall accrew by reason of Conveying any such Letters or pacquetts any former Law usage or Custom to the Contrary Notwithstanding And be it further Enacted by the Authority aforesaid That if any Sherriffe undersherriffe or Deputy that shall Neglect or Delay the the speedy Conveying any such Letters or pacquetts shall forfeitt and pay to his most Sacred Ma<sup>ty</sup> for every such Offence the Sume of five hundred pounds of Tobbacco to be Employed for the Defraying parochiall Charges and to be recovered by the Vestry of each respective parish within this Province where any such Neglect shall happen in any of his Ma<sup>ty</sup>s Courts of Record by Action of Debt wherein no Essoyne protection or wager in Law to be allowed. And be it further Enacted by the Authority aforesaid That all such Letters and pacquetts be indorsed for his Ma<sup>ty</sup>s Service and with the person's Name that sends them and if any person or persons whatsoever shall att any time after the Publication of this Act presume to Endorse any Letter or Letters pacquett or pacquetts so as aforesaid [he] shall forfeitt and pay for such offence five hundred pounds of Tobbacco to be Employed for the use aforesaid to be recovered in manner aforesaid This Act to Endure for 3 years or to the end of the next Sessions of Assembly.

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Record  
Office,  
London.  
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Maryland.  
From  
1694-1702.  
Acts

An Act for the more effectuall Suppressing Prophane Cursing and Swearing.

Acts of  
Oct. 1698  
ch. 19

Whereas it is found by Experience that an Act of Assembly made at an Assembly held att the Porte of Annapolis the 8<sup>th</sup> day of July in the year of our Lord 1696 Entituled an Act for Prohibiting all manner of Prophane Swearing hath proved ineffectuall to the Suppressing of those Detestable Sins by reason of some deficiencies in the said Act Be it therefore Enacted by the Kings most Excellent Ma<sup>ty</sup> by and with the advice and consent of this present Generall Assembly and the Authority of the same That if

Public any person or persons whatsoever within this Province after the  
 Record publication of this Act Prophanely Swear or Curse in the presence  
 Office, or hearing of any one Justice of the Peace or head Officer of any Town  
 London. City or Burrough within this Province or that shall be thereof Con-  
 C. O. 5, victed by Oath of one Wittness or by the Confession of the party  
 Vol. 731, offending shall forfeitt and pay for every such Offence the sume of  
 Maryland. From five shillings sterling to our Sovereigne Lord the King to his heires  
 1694-1702. Acts and Successours to the use of the poor of such parish where such  
 Offence shall be Comitted to be Leavyed upon such Offender or  
 Offenders by Warrant from such Justice of the Peace or head Officer  
 of any Towne City or Burrough before whom such Offender or  
 Offenders shall be Convicted to the Constable or other Officer by Sale  
 of his her of their Goods or Chattells rendring to them the Overplus  
 And in case that such Offender or Offenders have not any goods then  
 to be sett in the Stocks for the space of two hours Provided allways  
 and it is hereby Enacted That no person shall be prosecuted and  
 troubled for any Offence against this Act unless the same be proved  
 or prosecuted within Ten days after the Offence Comitted This Act  
 to Endure for 3 years or to the end of the next Sessions of Assembly  
 which shall first happen.

Acts of An Act Impowering the Vestrymen &c. to Assess their parishioners  
 Oct. 1698, for finishing and repairing of Churches.  
 ch. 20

Whereas by an Act of Assembly made at Sessions of Assembly  
 begun and held att the Porte of Annapolis the 9<sup>th</sup> day of July in the  
 year of our Lord 1696 Intituled an Act for the Service of Almighty  
 God and the Establishment of the Protestant Religion within this  
 Province amongst other things is contained in the 6<sup>th</sup> Article That  
 the severall Vestrymen of each respective parish shall within 12  
 months after the Publication of this Act Provide att the Charge of the  
 parish faire Register Books of Paper or Parchment the which the said  
 Register shall keep and therein shall Register and fairly enter in write-  
 ing The publication of all marriages Births of Children Baptisms and  
 burialls &c. and further in the said Clause it is Enacted That if the  
 Vestrymen aforesaid shall faile in provideing such a Book as afore-  
 said They shall forfeitt five hundred pounds of Tobacco each Vestry-  
 man (the Ministers Excepted) &c. And notwithstanding no way pre-  
 scribed how the said Vestrymen should assess their parishes for the  
 purchaseing of the said Register Books And further it is said in the  
 twelfth Article of the aforesaid Act Be it Enacted by the Authority  
 aforesaid That where there is an Incumbent upon the Benefice and  
 Officiates in no other place the Vestrymen of the said Parish shall not  
 under Colour and pretext of finishing the said Church or keeping the  
 same in repaire withhold or deteine from the said Incumbent any part  
 of the 40<sup>th</sup> per poll under any pretext whatsoever Except what is by  
 this Act before Appointed But forasmuch as most of the Churches  
 in this Province are either not wholly finished or out of repaire



and no way is Provided by the aforesaid Act by which way the severall parish Churches be finished kept in repaire & that the Vestrymen may be Enabled who are likewise hereby Authorized and Impowered to buy & purchase Necessary Books to direct them to hold their Vestry & Walk by and the defraying other Necessary parochiall Charges Therefore it is prayed That it may be Enacted And be it Enacted by the King's most Excellent Ma<sup>ty</sup> by and with the advice and Consent of this present generall Assembly and the Authority of the same That two Justices of the Peace one whereof shall be of the Quorum with the Vestrymen of each respective parish within this Province and foure of their most responsible parishioners such as they shall approve of if they shall all meet but in case of any disappointment [by] Them two Justices one whereof shall be as aforesaid with the major part of the said Vestry Churchwardens and Parishioners shall have full Power and Authority to leavy and assess by an Equall Assessment upon their respective parishioners according to number of Taxables for purchasing such Register Books as aforesaid and for finishing and the necessary repaires of each respective Church or Churches within their parishes such Summe or Summes of Tobbacco not exceeding 10<sup>th</sup> per poll in one year as to them shall seem Convenient and att all times when the aforesaid Vestrymen Churchwardens &c. shall in their discretion adjudge such Books and finishing and repairing of Churches needfull which said Assessment or Tax per poll shall be Collected and Gathered by the Sherriffe of each respective County upon Notice given them thereof by the aforesaid Vestrymen &c. as is Provided in the aforesaid Act Intituled an Act for the Service of Allmighty God. This Act to Endure for 3 yeares or to the next Sessions of Assembly which first happens.

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Office,  
London.  
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Vol. 731,  
Maryland.  
From  
1694-1702.  
Acts

An Act appointing how publick Officers shall recover their dues  
accreeing by their Offices.

Acts of  
Oct. 1698,  
ch. 21

Whereas att the first Seating of this Province it was Tollerated not onely to publike Officers but also to Ordinary Keepers for the speedy recovering of their Debts upon proving their Accounts by their owne Oath to have Execution for their Debts against their Debtors by way of Capias ad Satisfaciendum which Tolleration to Ordinary keepers was afterwards restrained but still was allowed to publick Officers and past unto a Law for this reason most Especially to avoyd the Occasion of the said Publick Officers' recovering their debts by Chargeable Suites att Law But seeing that now there is a farr greater Number of Inhabitants in this Province then formerly And they have a far greater Number of Accounts then formerly which Accounts are sent to the Sherriffs to be Demanded and received and by the said Sherriffs Committed to their Deputys and by reason of the Multitude of Affaires in the hands of the said Officers Sherriffs and Deputyes and their Neglects and Errors it many times Comes to pass That when the Debtor hath paid his Accounts to the Officer

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Yett he is afterwards Charged againe and new Examination by Capias ad Satisfaciendum issued out againe whereupon it Coms to pass that many of his Ma<sup>ty</sup>s Subjects are unjustly taken in Execution and Imprisoned which the poorer Sorte rather take patiently and suffer under then seek their redress by Ordinary Course of Law and for that the Imprisonment many times is greater Charge then the Debts and for that the perpetuall fear of Imprisonment makes the poorer Sorte of people of this Province more negligent of Applying themselves to their Callings and rather Seek for refuge in our Neighbouring Colonys by flight & deserting their habitations and that such poor Inhabitants may with all Chearfullness hope and Assurance industriously follow their Labours to the benefit of the Publick And for that the King of Englands Officers in England onely use the way of Distress to Leavy such Taxes and Assessments as are granted by Act of Parliament and for that the insulting of one Subject over another with greater authority Then the Kings of England in such Cases Exercise over their Subjects is of all things most odious. The Delegates of this present generall Assembly do pray That it may be Enacted And be it Enacted by the Kings Most Excellent Ma<sup>ty</sup> by and with the Advice and consent of this present generall Assembly and the Authority of the same That from and after this present Sessions no Fees due to any publique Officer of this Province whatsoever shall be Leavyed but by Execution of fieri facias against the goods & Chattells of the Debtor to any such Officer or Officers any forme Law usage or Custom to the Contrary Notwithstanding Provided the Debtor to any such Officer or Officers have goods and Chattells to the value of such fee or fees and shew the same to the Sherriffe or his Deputy to be leavyed so as aforesaid. But in case the party Debtor to such Officer or Officers That have not any such goods & Chattells Sufficient to defray such Fee or Fees, That then it shall and may be Lawfull to and for such Officer or Officers to have Execution by Capias ad Satisfaciendum against the Debtor so as aforesaid. This Act to continue for 3 years or to the end of the next Sessions of Assembly.

Acts of  
Oct. 1698,  
ch. 22

#### An Act for the punishment of Privateers and Pyrates.

Whereas it highly Tends to the Honour of his Sacred Ma<sup>ty</sup> and most Consistant with the Duty of all his Ma<sup>ty</sup>s Loyall Subjects That such Articles as are Concluded on all Treatyes of peace should in a Strict Ma<sup>ner</sup> be most inviolably preserved and kept and Whereas not onely against such Treatyes of Peace made by his Ma<sup>ty</sup> with his Allyes but also Contrary to his Ma<sup>ty</sup>s Royall Proclamation We his Ma<sup>ty</sup>s most Loyall Subjects have received diverse Informations That severall of his Ma<sup>ty</sup>s ill minded and disobedient Subjects of other his Ma<sup>ty</sup>s Dominions as well by themselves as in Company with the Subjects of other Princes and in their Service have Committed

Robberys Murders and Pyracyes to the great Scandall & reproach of the English Nation and Contrary to their Duty faith and allegiance for the preventing of the said Evills and punishing and punishing [sic] of all such Offenders We pray it may be Enacted And be it Enacted by the Kings most Excellent Ma<sup>y</sup> By and with the advice and Consent of this present Generall Assembly and the Authority of the same That from and after the publication hereof it shall be felony for any person which now doth or within four years last past heretofore hath or hereafter shall Inhabitt or belong to this Province That shall Comitt any Act of Hostility by Comission from or in the service of any forreigne Prince State or Potentate or any Employed by or under any of them against any other forreigne Prince State or Potentate in Amity with his Ma<sup>y</sup> of Great Brittain without speciall Licence for his or their so doing under the hand and Seale of the Govern<sup>r</sup> or Commander in Chiefe of this Province for the time being And that all and every such offender or offenders Contrary to the true intent of this Act being thereof Legally Convicted in his Ma<sup>y</sup>s Provintiall Court of this Province To which Court Authority is hereby given to hear & determine the same as other Courts of felony shall suffer pains of death without benefit of the Clergy Provided nevertheless this Act nor any thing therein Contained shall Extend to any person or persons which now or have been in the service or any Employment of any forreigne Prince State or Potentate whatsoever that shall returne to this Province and leave and desert such Service and Employment before the Tenth day of May next Ensueing rendring him or themselves to the Govern<sup>r</sup> or Comander in Chiefe for the time being and give him such Security as he shall appoint for their future good behaviour And also that they shall not depart this Province without the Governors Pass under the hand and Seale of the said Govern<sup>r</sup> or Comander in Chiefe for the time being And for the better and more speedy Execution of Justice upon such who haveing Comitted Felonys Treason Pyracie and other offences upon the Sea that shall be apprehended in this Province or brought hither in Order to receive their Tryall here Be it further Enacted by the Authority aforesaid That all Treasons, Felonys, Pyracys Murders or Confederacys Comitted or that shall hereafter be Comitted upon the Sea or in any Haven River Creek or Bay which the Admirall hath Jurisdiction shall be inquired Tried heard Determined and adjudged within this Province in such like forme as if such Offence had been Comitted in and upon the Land And to that End and Purpose Commissions shall issue under the Kings great Seale of this Province directed to the Judge or Judges of Admirallty of this Province for the time being and to such other Substantiall persons as by his Ma<sup>y</sup>s Govern<sup>r</sup> or Comander in Chiefe of this Province for the time being shall be named or appointed which said Commissioners or such a Quorum of them as by such Commission shall be thereunto authorised shall have full power to

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do all things in and about the inquiry hearing Determining adjudging and punishing of any of the Crimes & offences aforesaid as any Commissioners to be appointed by Commission under the great Seale of England by Virtue of a Statute made in the 28<sup>th</sup> year of the reign of King Henry the 8<sup>th</sup> (Cap: 15) are Impowered to do and Execute within the Kingdom of England and that the said Offenders which are or shall be apprehended or brought Prisoners to this Province shall be Lyable to such Order Process Judgement and Execution by Virtue of such Comission to be grounded upon this Act as might be awarded or given against them as if they were proceeded against within the Realm of England by Virtue of any Commission granted upon the same Statute Be it further Enacted by the Authority aforesaid that all and every person or persons That shall be Deemed and adjudged to be Privateers Pyrates or other Offenders within the Constitution of this Act And that shall not readily Endeavour to the best of his or their Power to apprehend or cause to be apprehended such Offender or Offenders shall be Lyable to be prosecuted as Accessarys and Confederates and to suffer such pains and penaltys as in such Case by Law is provided And for the better and more Effectuall Execution of this Act

Be it further Enacted by the Authority aforesaid That all Comission Officers in their Severall precincts within this Province are hereby required & Impowered upon his or their Knowledge or Notice given That any Privateers Pyrates or other persons Suspected to be upon any unlawfull Designe or in any place within their Severall precincts to raise and leavy such a Number of well armed men as he or they shall think needfull for the seizing Apprehending & Carrying to Gaole all and every such person or persons and in Case of any resistance or refusall to Yeild Obedience to his Ma<sup>ty</sup>s Authority it shall be Lawfull to Kill or Destroy such person or persons that shall oppose or resist by striking or firing upon any of the Comanded Partyes shall be Deemed taken and adjudged as felons without benefitt of the Clergy and every such Officer that shall Omitt or neglect his Duty herein shall forfeitt Thirty pounds sterling for every such Offence to be recovered in his Ma<sup>ty</sup>s Courts of Records within this Province By Bill Plaint or information wherein no Essoyne Protection or Wager of Law to be allowed one Moyety thereof to be to our Sovereigne Lord the King his heires and Successours for and Towards the suporte of the Government of this Province and the Contingent Charges thereof And the other moyety to the Informer that prosecutes or Sues for the same and all and every person and persons that upon Orders given him or them that shall refuse to repaire Immediately with his or their Arms well fixed and Amunition to such place or places as shall be appointed by the said Officer and not readily obey his Comands in the Execution of the premisses shall be Lyable to such fine or Corporall Punishment being Legally convicted thereof as the Justices of his Majesty's Provin<sup>ce</sup>



ciall Court shall think fitt. This Act to Endure for 3 years or to the end of the next Sessions of Assembly which shall first happen.

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Maryland.  
From  
1694-1702.  
Acts  
of  
Oct. 1698,  
ch. 24

An Act for prevention of the Sherriffs Sumõning the Delegates and Justices of the Peace to serve as Jurors in this Province.

The Delegates of this present generall Assembly takeing into theire Consideration the many inconveniencys that may Attend upon Delegates and Justices of the Peace being Sumõned to serve as Jurymen do pray that it may be Enacted And be it Enacted by the King's most Excellent Majesty by and with the Advice & Consent of this present generall Assembly and the Authority of the same That from and after the publication hereof no Sherriffe or any authorized by him whatsoever within this Province presume to Sumõn Impañell or any ways returne to Serve either on a Grand or Petit Jury or any Inquisition whatsoever that now is or that shall be from time to time or att any time hereafter be duly Elected and Chosen to Serve in the house of Delegates as the representatives of any County within this Province or any of the Justices that now are or att any time hereafter shall or may be Comissionated or appointed by his Excellency the present Governor or any other Governor that shall or may be hereafter for the Conservation or keeping of the peace in any County within this Province And be it further Enacted by the Authority aforesaid That if any Sherriffe shall att any time hereafter presume to Sumon any or either of the Delegates or Justices as aforesaid while they are Representatives or Justices as aforesaid That the same shall be null and Voyd and the Justices of the Provintiall or County Courts shall & are hereby Impowered to Amerce the said Sherriffe for such his Contempt any Sumẽ not Exceeding the Sumẽ of five hundred pounds of Tobbaco to be leavyed on his Goods and Chattells att the Suite of our Sovereigne Lord the King to the use of the parish within the County where such Offence shall be Comitted. This Act to Continue for 3 years or to the end of the next Sessions of Assembly which shall first happen.

An Act for Assessing of the Publique Leavy of this Province.

Whereas there hath been seaven hundred & ten Thousand Nine hundred fifty two pounds of Tobacco Expended Layd out and disbursed by severall of the Inhabitants of this Province upon the necessary Charges of this Province which hath been Examined stated and allowed by this present generall Assembly To the intent therefore That the same may be satisfyed and paid to those persons to whom the same is due Be itt Enacted by the Kings most Excellent Maý by and with the advice and consent of this present generall Assembly and the Authority of the same That the Sumẽ of Seaven hundred and Ten Thousand Nine hundred fifty and Two pounds of

Acts of  
Oct. 1698,  
ch. 25

- Public Record Office, London. C. O. 5. Vol. 731. Maryland. From 1694-1702. Acts
- Tobacco [is] To be paid in maner and forme as in the Journall of the Committee of Accompts Exprest by an Equall Assessment upon the persons and Estates of the Severall Inhabitants of this Province and be paid to the severall persons to whom the same appears by the said Journall to be due to any Law Statute Custom or usage thereof in any wise to the Contrary Notwithstanding.
- Acts of 1711, ch. 2  
Liber LL No. 4  
p. 3  
[Other Acts of this Session are printed in Vol. 29 of the Archives]
- An Act Impowering Thomas Edmondson of Talbott County Surviveing Executor of his father John Edmondson to sell and dispose of the Lands by the said John Edmondson left for the payment of his debts.
- Whereas John Edmondson late of Talbott County decēd by his Last will and testament in wrighting bearing date the ninth day of October in the year of our Lord one thousand six hundred ninety Seven did give full Power and authority to his Executrix and Ex<sup>rs</sup> [to] dispose of all his lands in the Territories of Pensilvania or in Maryland which he had not given by his said will to maintain his Children and to bring them up to pay all his Just Debts and the remainder to be devided among his wife and Children And of his said will did Constitute his wife Sarah his Sons, James, W<sup>m</sup> and Tho<sup>s</sup> Sole Ex<sup>rs</sup> who after the death of the said John Edmondson tooke upon them the said Executorship and paid the debts of the said John Edmondson so far forth as his personall Estate Extended, but that not being Sufficient, fully to Satisfie and pay, the said John Edmondsons debts. And before any of his said Lands Left to be sold Could be disposed of, and Legally Conveyed, the said Sarah the wife, James, and W<sup>m</sup> the Sons dyed, and the said Thomas only Left Surviveing Ex<sup>r</sup> And forasmuch as the said Thomas as Surviving Executor of the said will is not Sufficiently Impowered to Sell and dispose of the said Lands according to the Intent and bequest of the Testator. Therefore prayed this present generall Assembly
- p. 4 that an Act might pass to Empower him the said Thomas Edmondson to sell and dispose of the said Lands, Soe left to be sold for payment of the said John Edmondsons debts which being thought reasonable it's humbly prayed that it may be Enacted.
- And be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her Majestyes President Councill and Assembly of this province and the authority of the same that the said Thomas Edmondson by Vertue of the Last will and Testament of the said John Edmondson decēd and of this present Act, shall be and is hereby fully and amply authorized and Impowered to Sell and dispose of all or any part of the said Land, Left to be Sold by the said John Edmondson and make or Cause to be made to any purchaser or purchasors and their heires forever a good Sure and Indefeazable Estate of Inheritance in fee simple, & to Execute and performe all the trusts reposed in the said Executors, as fully and

Effectually to all Intents and Purposes, as if the said Executors were all Liveing and did or Could Joyne in the performing the said will and that he shall and may and is hereby authorized and Impowered and Obligated to Apply the money or tobacco arriseing by Such Sale or Sales to the Uses in the said will appointed any Law, Statute useage or Custome or want of Authority so to do by the words in the said Last will & testament of the said John Edmondson to the Contrary Notwithstanding Provided that this act nor any thing herein Contained shall Extend or be Construed to Extend to Enable the said Thomas to make Sale of any lands tenements or Hereditaments which were persuant to the Tennor of the will af<sup>d</sup> disposed of Aliened, or Sold to any person or persons whatsoever Jointly by William and James Edmondson decēd two of the Executors of the testament of the said John Edmondson deceased.

Liber LL, 4  
Acts

An Act to reforme the Ill practices of high Sherriffs within this Province

Acts of 1711,  
ch. 3

Whereas Complaint hath been made to this present General Assembly that Severall Sherriffs within this Province being Indebted to all of the Inhabitants thereof as well for orders drawn on them for Public Debts, as for their Private debts will not discount the same out of any Publique or County Leavy due to such Sherriffs, but will Compell such to take and receive for such debt or debts Indifferent tobacco in remote Inconvenient places and take the body or goods, of such Persons in with Intent to Extort from them their best and finest tobacco; or some other Illegal and Unreasonable Allowance, or Salary to the great Prejudice of severall of the Inhabitants of this Province for prevention whereof

p. 5

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> with the Advice and Consent of her Majestyes President Councill and Assembly [of this] Province and the Authority of the same that if any high sherriff or high sherriffs, being Indebted to any person or persons, shall refuse to discount, or the same out of any publique or County Leavy due from such Person or Persons but will notwithstanding the same debt being due from the Sherriff, take the body of such Person in Execution shall be Lyable to be prosecuted for false Imprisonment And in Case such Sherriff do not take the body of such Persons in Execution but shall take any of his goods or Chattells in Execution, whilst the Sherriff remains in such Persons Debt he shall be deemed and taken as a Trespasor And Lyable to the same Prosecution Payns Penaltys and forfeitures as if any Private person had taken such Goods.

And be it further Enacted by the authority that the high sherriff of Every respective County, shall be Lyable to be sued as af<sup>d</sup> for his own or any of his Deputy or Deputy's Offence Or Offences ag<sup>t</sup> this act, and the debts menconed which the sherriff may Owe any In-

Liber LL, 4  
Acts habitants are to be understood of such debts as are Assigned the Inhabitants in the publique or County Leavy or due from the high Sherrieff by bill bond, Note or account proved any Law Usage or Custome to the Contrary Notwithstanding. This Act to Endure three yeares, and to the end of the Session of Assembly which shall happen next after the End of the said three yeares And no longer

Acts of 1711, ch. 4  
p. 6  
(Continues  
1704, ch. 87) An Act reviveing & Continueing an act of Assembly of this province Entituled an act for the ordering and regulateing the Militia of this province, for the better security & defence thereof, and for supplying some defects therein.

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by & with the advice and Consent of her Maj<sup>ties</sup> President Councill and Assembly of this Province and the authority of the same, that the above mencōned Act Entituled an Act for the ordering and regulateing of the Militia of this Province for the better security and defence thereof made at a Generall Assembly begun and held at the Port of Annapolis the fifth day of December one thousand seven hundred & four be, and is hereby revived and Continued in full force and Strength for and untill the End of the first Session of Assembly which shall happen after the Arrivall of the first Captaine Generall and Governour in Chief of this province

And Whereas by the said Recited Act there is not Sufficient provision made to punish such persons as shall neglect to appear at Musters and who are Subject to some fines, w<sup>ch</sup> fines by the said Act are only to be Levied by Execution against the goods and Chattells of the said persons for their Contempt w<sup>ch</sup> is not so Effectuall as it would be if such Execution were as well to be awarded against the bodyes of such persons as their Goods

Be itt therefore Enacted by and with the advice and Consent af<sup>d</sup> that from and after the end of this Session of Assembly where any person or persons, by the afore recited act are Subject To be fined, by any of the Collonells Lievtenant Colonells Majors Captaines, no Execution shall Issue against the body or goods of any such pson or psons but upon Complaint to the Colonell Lievtenant Colonell and Major or any two of them where such Offence is Committed and Complaint made who upon hearing the allegations of both parties shall give Judgment thereupon And if . . . . .

p. 7 bodye Or goods of such Delinquent or Delinquents for such fine or fines law Statute Usage or Custome to the Contrary notwithstanding

Acts of 1711, ch. 5 An Act for ascertaining the Guage of tobacco hoggsheads and to Prevent Cropping Cutting and defacing tobacco taken on board Ships and Vessells upon Freight

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her Maj<sup>ties</sup> President Councill and Assembly



of this Province and the Authority of the same that what pson <sup>Liber LL, 4</sup> or persons soever after the tenth day of October next Ensueing shall <sup>Acts</sup> make or Cause or Suffer to be made for his Use any Tobacco hoggshead or Hoggsheads which shall Exceed forty Eight Inches in the full length of the Staff and thirty Inches in the Diamiter of . . . . within the Croes and the same hoggshead or any other hoggshead . . . . Gauge shall Pack full of tobacco and tended the same to be paid or shift . . . . forfeit and Pay for every such hoggshead so Packt and Exceeding that Length or Diamiter the Sum of Six hundred pounds of tobacco or fifty shillings one Moyety thereof to the Informer and the other Moyety to our Sovereign Lady the Queen her heires and Successors to be Employed by the Justices to . . . . the Charge of the County where any person or persons shall be Convict of Exceeding the said Gauge to be proved by the Oath of one Sufficient wittness besides the Informer before one or more Justice or Justices of the Peace who upon Complaint thereof made shall Issue out a warr<sup>t</sup> to the Constable of the Hundred to bring before him or them the Person or persons against whome Such Complaint is made and the Witnesses w<sup>th</sup> the Complainant shall name w<sup>ch</sup> Justice or Justices shall have . . . . said Justice or Justices of peace shall make out warrant to the Sher- p. 8 riff to Leavy the same by Distress and Sale of the Goods and Chattells of the party haveing so offended And to pay the moyety to the Complainant and to render an account of the other Moyety to the Justices of the County Court at the yearly Laying of the Levy.

And be it further Enacted that if any person or persons shall after the tenth day of October next Ensueing pay or tender to Pay any packt hoggshead of tobacco whereof the full weight of the Empty hogshead or the full weight within five Pounds over or under is not Cutt or Markt on the Bulge of such hogshead, And be thereof Convict in manner aforesaid he or they so Convict as af<sup>d</sup> shall forfeitt for Every such hoggshead or hoggsheads not haveing the weight sett thereon as af<sup>d</sup> the sume of Six hundred Pounds of tobacco as af<sup>d</sup> to the Uses af<sup>d</sup> to be recovered as af<sup>d</sup> And for the better Ascertainning what shall be allowed for the Vallue of a tobacco hoggshead Be it Enacted by the authority af<sup>d</sup> that the receiver of any hoggshead of tobacco shall Pay and allow to the Owner or Owners thereof for such hh<sup>d</sup> received the Sume of forty Pounds of tobacco to be added to the neat weight of such tobacco.

And whereas the Inhabitants of this Province that ship their tobacco on board Ships and other Vessells upon ffreight are much Injured by Cropping Cutting Lessning and deminishing of the hoggsheads wherein such Tobacco is Packt by the masters of Ships or other Vessells or by other Persons under their Command and Governm<sup>t</sup> ffor remedy whereof for the future Be it Enacted by the Authority advice and Consent af<sup>d</sup> that if any Master of a ship or other Vessel within this Province after the Tenth day of October

Liber LL, 4 next Ensueing shall receive any hoggshead or hoggsheads of  
 Acts tobacco on board his said Shipp or Vessell on freight and shall  
 Either by himself or any other Officer or person on board such  
 Ship or Vessell under his Command Cutt or Suffer any hoggshead or  
 hoggsheads of tobacco to be Cutt, Cropt lessned in their Length or  
 breadth or by any other ways or means abused defaced or Impaired,  
 that then & in Every such Case such Master of Ships . . . . .

p. 9 Cutt, Cropt, or Lessned in their Length or breadth abused defaced  
 or Impaired to be proved by the oath of any suff<sup>t</sup> Person to whome  
 the tobacco is Consigned in Great Brittain or other sufficient Witt-  
 ness taken before any Majestrate and a Certificate thereof made by  
 any Notary Publick or Magistrate and sent hither under his hand  
 and Seale or by any other Legall proof whatsoever made in this  
 Province or Elce where shall forfeit and pay the Summe of Six hundred  
 pounds of tobacco or fifty shillings to the party greived to be recov-  
 ered in any Co<sup>rt</sup> of record within this province against such Master  
 or his Security by Action of Debt or on the Case within seven years  
 after the date of the bill or bills of Ladeing of such tobacco And  
 be it Enacted that the Security or Securities of any Master of a  
 Ship or Vessell within this Province shall be Lyable to make Satis-  
 faction according to this act for the Cropping Cutting abuseing defac-  
 ing and Impairing of any hoggshead or hoggsheads of tobacco as  
 af<sup>d</sup> and prosecuted for the same in any Court of record within this  
 Province that Cann hold plea thereof And that Every Navall Officer  
 within this Province shall on Pain of fifty shillings Certifie under his  
 hand and Seale who are the Security or Securities of any such Master  
 w<sup>ch</sup> shall be Suff<sup>t</sup> Evidence in any Court of Record where such  
 Action is Comenced to prove who are the Security or Securities of  
 such Master for w<sup>ch</sup> Certificate the Navall Officer may have & receive  
 one shilling and no more And that the Sevrall and Respective Navall  
 Officers within this Province shall hang a fair Coppy of this Law up  
 in their respective Offices for the perusall of all Masters of Ships and  
 Vessells The navall Officer to have and Receive for the said Copy one  
 hundred pounds of tobacco to be allowed in the County Leavy This  
 Act to Continue in force from the tenth day of October next for  
 and dureing and untill the tenth day of December w<sup>ch</sup> shall be in the  
 year of our Lord God one thousand seven hundred & fifteen

Acts of 1711, An Act for the reliefe of John Clements of Talb<sup>t</sup> Co<sup>ty</sup> Son of John  
 ch. 6 Clements late of Talbot County and Legatee of Ann the daughter  
 p. 10 of the said John Clements the Elder and the Children of Thomas  
 Clements and Mary Inchbudd being all the Legall Representa-  
 tives of the said John Clements the Elder.

Whereas John Clements the Elder heretofore of Talbot County  
 Planter about the year one thousand Six hundred and Seventy six  
 dyed possessed of a very good Considerable personall Estate as by  
 appraisment and Inventory thereof appears amounting to the

Sume of one hundred Eighty five thousand and fifteen pounds of tobacco and two hundred and Seventy five pounds sterling due on two bonds haveing first made his Last will & Testament in wrighting of w<sup>ch</sup> he made Ex<sup>ts</sup> who refused to accept the trust in them Reposed or to prove the said will so that Letters of Administration were thereupon Granted to Mary Clements the widdow and Relict of the af<sup>d</sup> John Clements the Elder who togeather with a Certain William Ford late of Dorchester County Merch<sup>t</sup> became bound unto the then Lord Proprietary of this Province to the use of the Said John Clements Orphans in the penall Sume of four hundred thousand pounds of tobacco for her due Administration thereof which she altogether neglected and Shortly after Intermarried with a Certain James Derumple spent Imbezilled and Confounded the said Personall Estate the Orphans of the said John Clements the Elder haveing little or nothing bestowed upon their Education and wholly destitute of their portions since w<sup>ch</sup> the said Mary Clements is dead And the af<sup>d</sup> W<sup>m</sup> Ford without any Account rendred of the said administration, not haveing left any Personall Estate behind them wherew<sup>th</sup> to satisfie the Orphans of the af<sup>d</sup> John Clements decēd neither had the said Mary any reall Estate at the time of her death But in as much as the af<sup>d</sup> W<sup>m</sup> Ford dyed possesst in fee Simple of and in Severall Considerable tracts of Land within this Province and that the Children and Grand Children of the said John Clements have no reliefe Either in Common Law or Equity The administration bond Entred into by the af<sup>d</sup> W<sup>m</sup> Ford not being to be found though the Minnith thereof appears upon the records in the Commissary Generalls office and the said Fords Collaterall Heires are not within this Province So as to be Served with process out of the high Court of Chancery It was prayed that for their Relief it might be Enacted

And be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her Maj<sup>ty</sup>s President Councill and Assembly of this province and the authority of the same that unless the heir at Law of the said W<sup>m</sup> Ford shall within two years from the End of this Session of Assembly render him her or themselves within this province lyable to be Served with Subpena or other process of the Court of Chancery and Answer the Petitioners bill of Complaint Stand to Perform fullfill and abide the decree of that high and honourable Court thereon if any shall be made within Seven yeares for releif of the said John Clements and his sisters Children Claiming their Severall Portions out of their father and Grandfather John Clements the Elders Estate it shall and may be lawfull and the Severall and Respective persons hereafter named (that is to say) Mr Walter Campbell Master Jn<sup>o</sup> Hudson and Master Henry Ennalls or any two of them are by Vertue of this act after the Expiration of the said two years from the End of this Session of Assembly Impowered and Authorized to sell all or so much of the Lands of the said W<sup>m</sup> Ford within this Province to the best Purchasor or

Liber LL, 4  
Acts

p. 11

Liber LL, 4 Purchasors as shall or may be Suff<sup>t</sup> to pay and Satisfie the Respective  
 Acts portions of John Clements the Elders Children and their Legall  
 Representatives to be Ascertained by the Judge in Testamentary  
 affaires or Commissary Generall of this Province due regard being  
 by him had to the debts sperate & desperate due to the said Estate  
 at the time of the death of the said John Clements the Elder w<sup>th</sup> the  
 Legall Charges Expended by John Clements the Younger in Ob-  
 teyning this act w<sup>ch</sup> are first to be Satisfied thereout and then the  
 filliall portions Satisfied by such Equall proportions as the purchase  
 money or tobacco will amount to and that the said Purchasor or  
 purchasors by Vertue of such Sale and this Act shall have and Enjoy  
 to them and their heires an Absolute & pure Estate in fee Simple  
 therein any law Statute Usage or Custome to the Contrary in any  
 wise Notwithstanding.

Acts of 1711. An Act Confirming the title of Land therein menconed unto Co<sup>ll</sup> W<sup>m</sup>  
 ch. 7 Holland Rich<sup>d</sup> Harrison and Samuell Chew.  
 p. 12

Whereas Colonell William Holland Richard Harrison & Samuell  
 Chew have made it appear to the Generall Assembly of this province  
 that they had heretofore Employed as their trustees and agents John  
 Hyde and Isaac Milner of the Citty of London in the Kingdom of  
 England Merch<sup>ts</sup> to purchase for them Certain Lands Lyeing in  
 Calvert County Called Abbington Mannour and Dowsdale Con-  
 taining about two thousand acres (more or Less) Late the Lands of  
 John Abbington heretofore a Merch<sup>t</sup> in this Province decēd that the  
 said John Hyde and Isaac Milner in pursuance of the said Co<sup>l</sup> W<sup>m</sup>  
 Holland Rich<sup>d</sup> Harrison and Sam<sup>l</sup> Chews directions in refference to  
 the said Purchase proceeded so farr therein as to Purchase from  
 Meriell Abbington the Heiress at Law of the af<sup>d</sup> John Abbington  
 by Vertue of a Decree made for that purpose in the High Court of  
 Chancery in the said Kingdom of England the Lands af<sup>d</sup> in ord<sup>r</sup>  
 to be by them Conveyed to the said Co<sup>l</sup> W<sup>m</sup> Holland Richard Harri-  
 son and Samuell Chew in the proportion by them agreed upon; that  
 the said John Hyde and Isaac Milner have accordingly Conveyed the  
 same to Richard Harrison and Seth Biggs deceased in ord<sup>r</sup> to be by  
 them further Conveyed and settled according to the said Co<sup>l</sup> W<sup>m</sup>  
 Holland Rich<sup>d</sup> Harrison and Sam<sup>l</sup> Chews agreem<sup>t</sup> between them-  
 selves which is now done by the said Richard Harrison the said  
 Biggs being dead that the said Hyde and Milner being not so Con-  
 versant with what our Law in this Province requires in order to the  
 passing of Land from One person to another Omitted the getting the  
 said Meriell Abbingtons acknowledgment of the said Lands as our  
 Law requires in such Cases And the said Meriel Abbington being  
 Since dead so that her Acknowledgment Cannot now be had nor  
 any other way devised how that defect in the said Co<sup>ll</sup> W<sup>m</sup> Holland  
 Richard Harrison and Samuell Chews title to the said Lands may  
 be helped but by an Act of Assembly to Confirm their Right who have



actually paid a Valluable Consideration for the said Lands wherefore the said William Holland Richard Harrison and Samuel Chew prayed relief in the premises from the Generall Assembly and in order thereunto that an act might pass in their favour to supply the defects of the said Meriel Abbingtons acknowledgment of the deeds by her Executed to the said John Hyde and Isaac Milner which was thought reasonable to be allowed

Liber LL, 4  
Acts  
p. 13

Be it therefore Enacted by the Queen's most Excellent Majesty by and with the advice and Consent of her Maj<sup>ty</sup>s President Councill and Assembly of this Province and the Authority of the Same that the said Lands Called Abbington Mannour and Dousdale be and stand Confirmed unto the said Colonell William Holland Richard Harrison and Samuel Chew and their heires according to the divisions made between themselves thereof and with such Estates therein as the said Richard Harrison by deed Indented between him the said Co<sup>ll</sup> William Holland and Samuell Chew bearing date the twentyeth day of June one thousand Seven hundred and nine has Limited and Expressed the said want of acknowledgment of the said Meriel Abbington in any wise notwithstanding.

Provided that this act nor anything therein Conteyned shall Extend to be Construed to Extend to Debarr the heir or heires at Law of the said Meriel Abbington of his her or their right of in and to the Lands in the said Recited deeds mencōned if such heir or heires make his her or their Clayme or Claimes within the space of four yeares any thing in this Act Conteyned to the Contrary notwithstanding.

An Act for the Naturalization of David Pagett of Queen Anns County planter and Maudlin his wife and their Children.

Acts of 1711,  
ch. 8

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her Maj<sup>ty</sup>s President Councill and Assembly of this Province and the Authority of the same that David Pagett of Queen Ann's County planter a Frenchman by birth Maudlin his wife and Eliz<sup>a</sup> his Daughter and all other his Children hereafter to be born within this province and all and Every of them, shall upon the said Davids takeing the oaths appointed by Law, be Judged reputed and taken as naturall born People of this Province, And that they, and Every of them, by the Authority af<sup>d</sup> be Enabled and adjudged to all Intents and purposes, to Demand Challenge. Aske have hold and Enjoy any Lands Tenements Rents and hereditaments to w<sup>ch</sup> they might in any wise be Entituled as if they were free and Naturall born Subjects and People of this province, and Also that they and Every of them shall and may be Enabled to maintaine Prosecute Avow Justifie and defend All manner of Actions Suits Pleas Plaints and other Demands whatsoever, as Liberally, Frankly, Freely, fully, Lawfully and Securely as if they and Every of them had been

p. 14

Liber LL, 4     Naturall born People, and Subjects of this province, any Law,  
 Acts     Statute Useage or Custome to the Contrary in any wise notwithstanding.

Acts of 1711, An Act to Invest two tracts of Land in Richard Bennett Esquire  
 ch. 9     late the land of John Howel Deceased.

Whereas Richard Bennett of Talbot County Esquire, hath by his petition set forth, to this Present Generall Assembly that, he having formerly had Letters of Administration, Granted him, by the Com<sup>ry</sup> Generall, of this Province, Authorizeing him, to Administer, all and Singular, the goods, Chattells and Creditts of a Certain John Howell late of Stockton in Great Brittain Marriner Deceased And that by Vertue of the said Letters of Adm<sup>r</sup>con to him the said Richard Granted as af<sup>d</sup> took upon him the adm<sup>r</sup>con of all Singular,  
 p. 15 the Goods, Chattells and Creditts of the af<sup>d</sup> deceased, and in Expectation of Receiving Considerable Creditts of the said Deceased (as then apparently seemed Good and sperate, had prosecuted severall Actions and recovered Severall Judgments in his said Capacity, but more Especially had Obteyned Judgment for a Considerable Sum of Mony against a Certain Ralph Fishburne in the Prov<sup>l</sup> Court which in all Likelyhood would have paid all the Just debts of the said deceased in this province and defrayd the Cost and Charge of the said Adm<sup>r</sup>con He the said Richard Bennett paid Just Debts, Charges and disbursements on Account of the said Adm<sup>r</sup>con amounting to one hundred and Seven pounds thirteen Shillings and nine pence more then Assetts Came to his hands in regard that after Judgm<sup>t</sup> so obteyned, ag<sup>t</sup> the said Ralph Fishburn, the said Richard was defeated in Chancery thereof, All w<sup>ch</sup> the said Richard, hath made manifestly appear to this Assembly: And for that the said Richard is well Assured, And the Common Voice and fame agrees thereto that he the said Richard Cann find no more Personall Estate of the said Deceased to Satisfie and reimburse him what he has overpaid above Assetts, Butt yet the said deceased died possessed of two tracts of Land in Talbot County, whereof one Conteynes two hundred acres and known by the name of Turners Ridge And the other one hundred acres known by the name of Planters Encrease, to w<sup>ch</sup> no Child or heir, of the said deced, John Howell, appears to Lay Claime, And th<sup>t</sup> it is Generally believed he died without any Surviveing Lawfull Issue, the said Richard, hath petitioned this Generall Assembly to Invest the same title and Estate of Inheritance, in, and to, the said Lands in him the said Richard, his heires, and Assignes for Ever as the said John Howell had at the time of his death, to reimburse him of his payments and disbursements made as af<sup>d</sup> which is Granted to him.

Be it therefore Enacted by the Queen's most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her Maj<sup>ty</sup>s President Councill and As-

sembly, of this province and the authority of the same, that the same Estate, right, title Interest, Property, Claime, Possession and demand of in, and to, the aforesaid, Severall, two tracts of Land, and all, and Every, their rights, members and appurtenances, within the Respective bound thereof, Mentioned in the Originall Grants of the said Land, be, and actually is by Vertue of this act of Assembly, Vested, and settled, in the said Rich<sup>d</sup> Bennett, his heires and Assignes for Ever, to his, and their, Proper use being deemed And reputed of Less Vallue than the Payments and disbursm<sup>ts</sup> which the said Richard had made beyond assetts as af<sup>d</sup>. Saveing to the Heires of the said John if any there be, their Lawfull Claim, to the said Lands, if they, or any of them, shall make their Claim within Seven years, And the Immediate right, of the right honourable the Lord Proprietor, of this province, to his Escheat Any Law, Statute, Useage or Custome to the Contrary in any wise notwithstanding.

Liber LL, 4  
Acts

p. 16

An Act Confirming and Makeing good and Effectuall in Law, a Certain deed, or release made by Susannah Tracey wife of Thomas Tracey late of Ann Arundell County Carpenter, to James Heath of Queen Anns County Gentleman

Acts of 1711,  
ch. 10  
(Vide 1709,  
ch. 2)

Whereas Thomas Tracey late of Ann Arundell County Carpenter hath now absented himself out of this province upwards of Seven yeares Leaveing his wife Susannah Tracey with Severall Small Children in a very poor Condition without making any provision for, or Sending any assistance to her the said Susannah, nor doth she know in what Countrey the said Thomas now is And whereas John Sewick the first husband of the said Susannah by his Last will and Testament devised to her and her heires, for Ever, two hundred acres of Land, part of a tract of Land Called Pascalls purchase, Lyeing at herring Creek in the said County of Ann arundell And whereas for good and Valuable Considerations made to the said Susanna by James Heath now of Queen Ann's County, and late of Ann Arundell County af<sup>d</sup> Gentleman, as well in discharging her of a bond, which she had Entred into before her marryage with the said Thomas Tracey to One John Wilson for which she was sued, since the departure of the said Thomas Tracey, as in paying to her the said Susannah three thousand pounds of Tobacco. She the said Susannah Conveyed and made over all her remaining part by her unsold to the said John Wilson to Jonathan Jones and to Christopher Vernon to the said James Heath his heires and Assignes for Ever, And whereas the said Susanna for and in Consideration of the further Sum of four thousand pounds of tobacco to her paid by the said James Heath, hath by Indenture bearing date the first day of November one thousand Seven hundred and nine, Acknowledged before Philemon Lloyd Esquire one of her Maj<sup>ties</sup> Justices of the prov<sup>l</sup> Court of this province the third day of the same month, Remised, Released and for Ever quitt Claimed all the right. which she

Liber LL, 4 the said Susannah hath or ought to have, to the said Remaining part  
 Acts of the said Land unsold as af<sup>d</sup> to the said James Heath his heires and  
 assigns, and for that the said Indenture, or deed of release being  
 Executed by the said Susannah whilst under Coverture, will not bar  
 the said Thomas Tracy nor the heires of the said Susanna from have-  
 ing and Clayming the said Lands and premises, she humbly peti-  
 tioned this generall Assembly that it might be Enacted.

p. 17 And be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with  
 the advice and Consent of her Maj<sup>ty</sup>s President, Councill, and As-  
 sembly of this Province and the authority of the same, that the said  
 Indenture or deed of release, Enrolled in the County Court records of  
 Ann Arundell shall according to the purport, true Intent and meaning  
 thereof Enure and take Effect, and be as good and Availeable in Law,  
 to all Intents, Constructions, and purposes As if the same Thomas  
 Tracy had Joyned in the said deed, with the said Susannah in the  
 Legall Execution thereof, as good an Estate in fee Simple as the said  
 Thomas and Susanna Could have made them, notwithstanding the  
 said Susannah being under Coverture hath made, and Executed the  
 said release in her own name onely, And shall not Only for Ever  
 barr the said Susanna her heires and Assignes, but also the said  
 Thomas Tracy and all Clayming from by or under him, from all  
 and Every the Land in the said Release Expressed or mentioned, or  
 Intended to be there Expressed or mentioned, And all the Rents  
 Issues and Proffitts of the same, any Law Statute Usage or Cust-  
 tome, or Coverture of the said Susanna to the Contrary, not-  
 w<sup>th</sup>standing. And be it also enacted by the authority, advise and Con-  
 sent af<sup>d</sup> that the said four thousand pounds of tobacco paid or to be  
 paid to the said Susannah by the said James Heath, shall not be Lyable  
 to any attachm<sup>t</sup> or other process whatsoever for or upon Account of  
 any debt, or oweing from the said Thomas Tracy, but shall wholly be  
 to the use and benefit of the said Susanna towards the releiving and  
 supporting her and her Children any Law Statute Usage or Custome  
 to the Contrary notwithstanding

Acts of 1711, An Act Confirming to Major John Hawkins and Henry Wright of  
 ch. 11 Queen Ann's County Certain Lands therein mentioned

Whereas Robert Atchison late of Kent County, in or about the  
 p. 18 year of our Lord God one thousand Six hundred ninety Eight did  
 grant and Convey unto a Certain Henry Price three hundred acres  
 of Land part of a tract of Land Called Smiths Ridge Lying in  
 Queen Ann's County, which said Price afterwards Sold and Conveyed  
 unto the said Maj<sup>r</sup> Jn<sup>o</sup> Hawkins two hundred acres p<sup>te</sup> of the said  
 three hundred acres, and to the said Henry Wright the remaineing  
 one hundred acres thereof. But it happening that after the Sale of  
 the said Land to the said Hawkins and Wright by the said Price the  
 said Price removed himself out of this Province, and Either



Carried the Deed, or Conveyance w<sup>th</sup> him or by the Injury of time, the same is Lost or Destroyed, and no record thereof to be found whereby the title of the said Hawkins and Wright is become precarious and defeazable. And it being made appear to this present Generall Assembly That the said Price did really and Bonafide purchase the said Land of the said Atchinson And Sold the same to the said Hawkins and Wright, for good and Valluable Considerations after the said Price had been many yeare in Quiett and peaceable poss<sup>n</sup> thereof durement the said Atchinson's Lifetime It was therefore prayed that the said want of a deed or Conveyance from the said Atchinson to Price might be supplied by an Act of this Generall Assembly thereby to Confirm and make good and Indefeazable the Estate of the said Hawkins, and Wright in the said three hundred Acres of Land which being thought reasonable.

Be it Enacted by the Queens most Excellent Majesty by and with the advice and Consent of her Maj<sup>ty</sup>s President Councill & Assembly of this province and the authority of the same that the said Major John Hawkins and Henry Wright according to their Severall purchases from the s<sup>d</sup> Price by force and Virtue of this Act, shall have, hold, and Enjoy, to them, & their heires for Ever a good Sure & Indefeazable Estate of Inheritance, in fee Simple, of, in & to the s<sup>d</sup> three hundred acres of Land and that the said Atchinson, and his heires shall be forever utterly debarred & Excluded of all right Claim and Interest of, in or to the s<sup>d</sup> three hundred acres of Land, and premises as fully and Effectually to all Intents & purposes w<sup>ts</sup>soever, as if the deed or Conveyance, made by the said Atchinson to the s<sup>d</sup> Price were in being or the record thereof to be found, any Law, Statute, Usage or Custome or the want of the said deed or Conveyance or the record thereof to the Contrary thereof notwithstanding. And be it further Enacted that the s<sup>d</sup> John Hawkins and Henry Wright or their heires or Assignes shall with all Convenient Speed Cause the severall Depositions & other Evidences Laid before this present Generall Assembly to prove the purchase or Sale of the said three hundred acres of Land from the said Atchinson to the said Price to be recorded in her Maj<sup>ty</sup>s high Court of Chancery in this Province.

An Act for settling and vesting an Estate of Inheritance in fee simple of and in one hundred and fifty acres of Land lying in Calvert County on W<sup>m</sup> Hickman of Calvert County Carpenter son and heir of William Hickman deceased and by the said Hickman the father purchased of & from a Certain Thomas Hinton.

Acts of 1711,  
ch. 12  
p. 19

Whereas William Hickman late of Calvert County planter deceased on or about the nineteenth day of July Anno Domini one thousand Six hundred ninety five purchased of and from a Certain Thomas Hinton of the said County Deceased the half part of a peice of Land lying in the said County of Calv<sup>t</sup> Called the old Plantation

Liber LL, 4  
 Acts being part of a tract of Land Called S<sup>t</sup> Edmonds and Actually paid the Purchase mony for the same, which said Thomas Hinton on the af<sup>d</sup> nineteenth day of July Anno Dom. one thousand Six hundred ninety five by his Certain bond or wrighting Oblidged himself and his heires to Convey and Assure the same by good & Suff<sup>t</sup> Conveyances and Assurances in the Law unto the said W<sup>m</sup> Hickman deceased or his heires or Assignes to begin at the bay on the south side & to runn half the bredth the whole Length into the woods. And Whereas the s<sup>d</sup> W<sup>m</sup> Hickman and Tho<sup>s</sup> Hinton are both dead, the said Land never Conveyed or Assured to the said Hickman according to the Tenner of the said bond and no persons Left to represent the said Hinton but an Infant of about four years of age uncapable of making any Conveyance, or Assurance of the said Land. And the said W<sup>m</sup> Hickman son & heir of the said W<sup>m</sup> Hickman decēd haveing Petitioned this Present Generall Assembly that the same purchase might be Confirmed to him by an Act of this Generall Assembly and haveing made appear to this present Generall Assembly the truth of the said Allegations, And the Guardian of the said Infant haveing had Due notice to appear before this Generall Assembly to make his Objections ag<sup>t</sup> the same, if to him it should seem meet But no objections being made thereto It is therefore prayed that it may be Enacted, And be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advice and Consent of the president Councill and Assembly of this Province and authority of the same That the said W<sup>m</sup> Hickman the son shall be and is hereby authorized and Impowered to Cause the af<sup>d</sup> bond or wrighting obligatory to be Entred on the records of Calvert County Court And by Virtue of such recording of the af<sup>d</sup> bond or wrighting obligatory and of this act, a good sure, and Indefeazable Estate of Inheritance of in and to the said half p<sup>te</sup> of the said Peice or parcell of Land Called the old Plantation, shall be and is hereby Vested and Settled in the said W<sup>m</sup> Hickman, the son and his heires and assignes for Ever, in as full and Ample manner, to all Intents and Purposes, as if the same, had been actually Conveyed and Assured by deed, or deeds, of Conveyance, or Conveyances, duely Executed by the said Thomas Hinton deceased or his heires, Saveing to the Relict of the said W<sup>m</sup> Hickman deced all such right as she may or Can Claim of and unto the same Land by Vertue of the Last will of the said W<sup>m</sup> Hickman deceased any Law Statute useage or Custome to the Contrary notwithstanding

Acts of 1711-  
 ch. 13 An Act Impowering Robert Roberts of Queen Ann's County to sell part of a tract of Land Lyeing in Cecill County Called New Munster late the land of John Toas for the'uses therein mencōned and to make good and Vallid such Sale.  
 p. 20

Whereas it is Represented to this Generall Assembly that Robert Roberts of Queen Ann's County Glover, became bound for one John

Toas in the sune of two hundred and thirty one pounds Sterling for which the said Toas was in Custody of the Sherr of Salem in New Jersey which mony the said Roberts was obliged to and did pay, after which the said John Toas made Sale of all his goods, and Chattells, and runaway w<sup>th</sup> out Satisfying the said Roberts any part of the said Sume of two hundred & thirty one pounds Sterling and Left (his wife) who is the said Roberts his sister and two Children destitute of any Subsistance, And in a perishing Condition whome the said Roberts hath maintained since the Departure of the said Toas, in Consideration whereof, and that the said Roberts is Poor and unable to support the said Toas his wife and Children prayed Releife in the Premises from this Present Generall Assembly And in order thereto that an Act might pass to Impower the said Rob<sup>t</sup> Roberts, (towards Satisfaction of the said Sum of two hundred and thirty one pounds Sterl and maintainance of the said Toas his wife and Children) to sell and dispose of four thousand five hundred acres of Land belonging to the said Toas being part of a tract of [land] Lying on the main fresh of Elk River in Cecill County Called new Munster Containing Six thousand acres (more or Less) which was thought reasonable to be Granted.

Liber LL, 4  
Acts

Be it therefore Enacted by the Queen's most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her Maj<sup>ty</sup>s President Councill and Assembly of this province and the authority of the same that the said Robert Roberts by Vertue of this Act shall have full power and authority to sell and Convey the said four thousand five hundred acres of Land p<sup>te</sup> of the said Six thousand acres to any person or persons that will purchase the same, and to appropriate so much of the mony or tobacco arriising by Such Sale to his own use as will Satisfie the said Sum of two hundred and thirty one pounds and the residue to the Maintainance and Support of the said Toas his wife & Children And that any such purchase or purchasors by Vertue of any Sale to be made by the said Robert Roberts and this act, shall, have, hold, Possess and Enjoy the said Land and Every part and parcell thereof to him or them, his or their heires and Assigne for Ever, in a good sure and Indefeazable Estate of Inheritance in fee simple any Law Statute or Useage to the Contrary or other defect whatsoever notwithstanding

p. 21

An Act for Reliefe of Tobias Pollard and John Pollard of Dorchester County, Gentlemen

Acts of 1711,  
ch. 14  
(Vide 1709,  
ch. 8)

Whereas Tobias Pollard second son of John Pollard late of Dorchester County deceased, and John Pollard, Grandson and heir at Law to the said John Pollard Esquire Have petitioned this Generall Assembly Shewing that the af<sup>d</sup> John Pollard Esquire by his Last will & Testament, had devised, to a Certain William Pollard decēd Father of the Petitioner John Pollard severall tracts of Land Viz.

Liber LL, 4 Grass, Reedin, Hamers milk, Patrick's Wells and Williams Goodwill  
 Acts and to the said Tobias Pollard divers other tracts of Land Videlicet Marsh Land Sharp's out-Lett Sharps desire Blood poynt, Johns Desire, The race, Island in the Marsh, Woolf Trapp Ridge, Gotion, and good Luck Point, And the heires Male of their bodyes Lawfully begotten, All which tracts of Land lyeing and being in Dorchester County af<sup>d</sup> the Children of the said Tobias and John Pollard being Daughters are not Capable of Inheriting by reason of the speciall  
 p. 22 tale af<sup>d</sup> the said Tobias and John Pollard therefore humbly prays that this Generall Assembly would give Leave to prepare & bring in a bill for their Relief by Enlarging their Estates into a Tayle Generall

Be it therefore Enacted by the Queens most Excellent Majesty by and with the advice and Consent of her Maj<sup>ty</sup>s President Councill and Assembly of this province and the authority of the Same that the said John Pollard the Grandson and Tobias Pollard the Younger Son of the said Jn<sup>o</sup> Pollard Esquire deceased Each and Either of them shall by the Authority of this present Generall Assembly And by Vertue of this Act Severally, have, hold, and Enjoy and to all Intents and purposes w<sup>h</sup>soever be deemed and adjudged, to have, hold, Enjoy and be severally Possessed of the Severall tracts of Lands and Tenements as by the said will Devised. And have an Estate therein in Tayle Generall, Any Law Statute, Useage or Custome, or any article, or Clause in the said will to the Contrary notwithstanding.

Acts of 1711, An Act to rectifie a Mistake in the wrighting of the Last will and  
 ch. 15 Testament of the Reverend John Edwards late of Baltemore County decēd and for Setling an Estate of Inheritance in fee Simple on Jn<sup>o</sup> Stoakes the Devisee in the said will named.

Whereas the Reverend John Edwards Late Minister of the Gospell in the County of Baltemore made his Last will and testam<sup>t</sup> in wrighting bearing date the first day of January in the year of our Lord Christ one thousand Seven hundred and Tenn, and therein and thereby devised and bequeathed unto his Godson John Stokes Son of John Stokes of the said County of Baltemore Gentleman a peice of Land lying in Baltemore Cōnty af<sup>d</sup> Called by the name of Wastwood Containing two hundred and twenty acres more or Less; but Either by the Ignorance, or negligence of the writer of the said will, Contrary to the Intent, and purpose of the said John Edwards only An Estate for Life is thereby given and bequeathed, to the said John Stokes the sonn, and it appearing to this Generall Assembly, that the Intent and designe of the s<sup>d</sup> John Edwards was to give, and  
 p. 23 bequeath an Estate of Inheritance in Fee simple unto the said devisee It is therefore pray'd that it may be Enacted And be it Enacted by the Queens most Excellent maj<sup>ty</sup> by and with the advice and Consent of the President Councill and Assembly of this province and the Authority of the same that the said John Stokes the devisee, by Vertue of the said will, & of this act, shall have, hold, possess,



and Enjoy, to him and his heires for Ever, a Good, sure, and absolute Estate of Inheritance, in fee simple, of, & in the af<sup>d</sup> Peice or parcell of Land Called Wastwood, to him given, and bequeathed, by the said John Edwards, in and by the said will, any mistake, or difficiency, in the said will, or any Law, Statute, Usage or Custome to the Contrary thereof in any wise notwithstanding.

Liber LL, 4  
Acts

An Act appointing how Long suspected runaways shall Lye in prison.

Acts of 1711,  
ch. 16

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advise and Consent of her Majesty's President Councill and Assembly of this Province and the Authority of the same That when any p<sup>son</sup> (Except Negroes and Mullatoes) shall be found Travailing without Passes and shall be Taken up as suspected Runaways and by any Justice of Peace Comitted to the Custody of any Sherriffe or Goaler within this Province It shall not be Lawfull for any such Sherriff or Goaler to hold such person in Custody Longer than six months, and if such person Cann at any time within the said six months produce a Certificate or other Justification that he or she is no Servant, he or she shall and may by ord<sup>r</sup> of any two Justices of the County where such person is Committed to Prison, be discharged from any further Imprisonm<sup>t</sup> he she or they, serving such sherr or Goaler or his Assignes so many days as he she or they were in Custody [of] such sherriff or Goaler or otherwise paying Tenn pounds of tob<sup>o</sup> p day to such Sherriff or Goaler for their Imprisonment fees And no more And Paying unto such person or persons, who took such person up, two hundred Pounds of Tobacco, or serving him her or them twenty days in Lieu thereof. And if any such Sherriff or Goaler shall detayne such person In prison after such ord<sup>r</sup> of two Justices as af<sup>d</sup> or the Expiration of six months or payment of Tenn pounds of Tobacco p day as af<sup>d</sup> such sherriff or Goaler, shall be Lyable to an action of false Imprisonment for the same, Any Law, Statute, Usage or Custome to the Contrary notwithstanding.

p. 24

An Act for payment and assessment of the Publique Charge of this province.

Acts of 1711,  
ch. 17

Whereas there hath been three hundred fifty Eight thousand two hundred & forty Eight pounds of tobacco and two hundred fifty five pounds two shillings and five pence in mony Laid out and Expended for the publick Service of this province to the third day of November this present yeare Seventeen hundred and Eleven to the Intent the same may be Satisfied and paid to whome the same is Due as by the Journall of the Committee for Laying the Publick Leavy, And List for payment thereto annext appears.

Be it Enacted by the Queen's most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her Maj<sup>ty's</sup> President Council & Assembly

Liber LL, 4 of this Province and the authority of the same, that the s<sup>d</sup> Sum of  
 Acts Two hundred fifty five pounds two shillings and five pence in mony,  
 be Satisfied & paid to whome the same is due out of the publick Stock  
 raised & Lodged in the publick Treasurers hands of this province and  
 that the afores<sup>d</sup> Sum of three hundred fifty Eight thousand two  
 hundred & forty Eight pounds of tobacco, be by an Equall Assessm<sup>t</sup>  
 of twenty two pounds of Tob<sup>o</sup> per Pole Levyed on the Taxable In-  
 habitants of this province and by the Sherriff of Each Respective  
 County Collected and paid to the Severall persons to whom it is due  
 according to the said Journall and List of Payments.

Acts of 1711, An Act to revive Continue and make good and Valid in law all  
 ch. 18 Process and proceedings in St Mary's County Court from the  
 p. 25 Eighth day of June this present year to the first tuesday of Novem-  
 ber next Ensueing

Be it Enacted by the Queen's most Excellent Maj<sup>ty</sup> by and with  
 the Advice and Consent of her Maj<sup>ty</sup>s President, Councill, and As-  
 sembly of this Province and the Authority of the Same, that all writts,  
 Pleas, Process, Indictm<sup>ts</sup> Informations, bills, Suits, Actions or pro-  
 ceedings whatsoever depending, in the said County Court the said  
 Eighth day of June, and all writts and process returnable from the  
 s<sup>d</sup> Eighth day of June or the Eleventh day of the same month, to  
 the first tuesday in August then next Ensueing, And from the said  
 first tuesday or first Wednesday in August, to the first tuesday in  
 November this present yeare, shall be good and Effectuell in Law,  
 to all Intents, Constructions and purposes whatsoever, any Dis-  
 continuance by the not Comeing of the Justices to adorne the  
 same Court to the Contrary Notwithstanding.

Provided always that this act or any thing therein Contayned  
 shall not Extend, or be Construed to Extend, to take away such  
 Errors in Law, as shall or may Arise upon the Mis: Issueing of  
 Process Mis: Pleading and Erronious rendering of Judgm<sup>t</sup> in Poynt  
 of Law, But that in all such Cases, the parties Grieved, may have  
 their writt or Writts of Error or appeale upon such Erronious Judg-  
 ment, as they might have had, before the makeing this act, anything  
 therein to the Contrary Contayned notwithstanding.

Acts of 1711, An Act reviveing an act Entituled an Act for Limitation of  
 ch. 19 Officers fees.

(Revives  
 1704, ch. 86)

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and w<sup>th</sup> the  
 advice and Consent of her Maj<sup>ty</sup>s President Councill and Assembly  
 of this province, And the authority of the same, that one Act of As-  
 sembly of this Province made at a Generall Assembly begun and held  
 p. 26 at the Port of Annapolis the fifth day of December one thousand  
 seven hundred and four Entituled an Act for Limitation of Officers  
 fees be and is hereby revived, and Continued, in full force and

Strength, from, and after the End of this present Sessions of Assembly, for & untill the End of the first Session of Assembly, or to the end of the Six months, which shall first happen, after the Arrivall of the next Captain Generall or Governour in Chief of this province. Liber LL, 4  
Acts

And be it further Enacted by the Authority aforesaid that all fees that have accrued or become due to any Officer or Officers within this province from the time of her Maj<sup>ty</sup>s disasent of the af<sup>d</sup> Act Entituled an Act for Limitation of officers fees, shall be Rated, and Charged, According to the Limitation & directions of the same Act, and not otherwise, and shall, and may be Levyed and paid, according to the form & Effect of the same Act, and in Case any Officer whatsoever shall Charge, Exact or Leavy, any more, or other fees, than what are Limited and appointed by the said act for any thing done by them in their Severall Offices, after her Maj<sup>ty</sup>s disallowance thereof untill the End of this Session of Assembly Every Officer Offending therein, shall be Lyable to the Payns and Penalties in the said act mentioned.

An Act for the Naturalization of Peter Sanders of Talbot County planter, and his Children Stephen Rashoon of the same County planter, and his Children, and W<sup>m</sup> Cody of Charles County Taylor and his Children. Acts of 1711,  
ch. 20

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her Maj<sup>ty</sup>s President Council and Assembly of this province and the Authority of the same, that Peter Sanders of Talbot County planter, Stephen Rashoon of the Same County Planter, and W<sup>m</sup> Cody of Charles County Taylor and all and Every of them, and all their Children, already born and hereafter to be born, within this Province shall for Ever hereafter be adjudged deemed and taken, as true ffreeborn Subjects of this province, and be and are hereby Enabled to purchase have, hold and Enjoy, any reall Estates of Inheritance in this province, And to hold & Maintaine any action or actions Reall and Personall in any her Maj<sup>ty</sup>s Courts of Record, And to have hold and Enjoy, all Priviledges and Freedoms whatsoever, as any naturall born Subject of this province, any Law, Statute Useage or Custome to the Contrary notwithstanding. p. 27

An Act for Relieveing the Inhabitants of this Province from some Aggrievances in the Prosecucōn of Suites at Law Acts of 1712,  
ch. 1  
p. 29

Whereas dureing this long and Tedious (though glorious and successfull) Warr her Majestys good Subjects of this province have greatly suffered and many of them have been utterly Ruined not onely by Losses at Sea of their Tobaccoes which is their onely Staple Manufacture being taken by the Enemy, but alsoe by the European [Other Acts  
of this  
Session are  
printed in  
Vol. 29  
of the  
Archives]

Liber LL, 4 Acts Marketts being shutt up by reason of the Export to Spain and France in great Measure prohibited, soe that very many honest and Industrious planters her Majesty's Subjects hereby [for] the very Charges of necessary Clothing and Tools for themselves and Families are become vastly Indebted and noe prospect As yet appearing of any means whereby they may Extricate themselves out of their miserable and deplorable circumstances which are yet very much heigtened and Aggravated by their being sued and brought to Annapolis from the remotest parts of this province to their manifest Oppression and Impoverishment soe that many of the good Inhabitants of this Province daily desert their habitacons and remove themselves to Plantacons and Collonies where they are far lesse Serviceable to her most Sacred Majesty and her Revenue of Customes of Tobacco And others leave their Abodes and skulk into the Woods or otherwise ride Armed with design to resist the Officers of Justice whereby Endangered All which loudly Calls for Some Speedy and proper Remedy to be Applied thereto, Wherefore this present Generall Assembly humbly Supplicate her most Sacred Majesty That it may be Enacted.

p. 30

And be it Enacted by the Queens most Excellent Majesty by and with the Advice and Consent of her Majesty's president Councill and Assembly of this Province and the Authority of the same That from and after the End of this psent Session of Assembly All persons whatsoever Resideing, Negotiaeting or Tradeing to or within this Province haveing any personall Claime or demand against any the Inhabitants of this Province wherein the Originall or Principall debt or damages doe not Exceed the value of Twenty pounds sterling or Five Thousand pounds of Tobacco shall by vertue of this Act be Obligated to sue and Implead their Severall and respective debtors in the severall and respective County Courts where such their debtors Inhabite and Reside And not Elsewhere on penalty of suffering a nonsuite and paying the defend<sup>t</sup> his reasonable Charges to be Adjudged by the Justices of any other Court wherein they shall be sued or Impleaded, Any Law Statute usage or Custome to the Contrary Notwithstanding.

And be it further Enacted by the Authority afores<sup>d</sup> by and with the Advice and Consent afores<sup>d</sup> That where any debt or damage is demanded by virtue of any Bond or Writeing Obligatory the penalty of such Bond shall not although It Exceed Twenty pounds in Money or Five Thousand pounds of Tobacco Entitle any Pēt to bring his Accōn in any Court but the County Court unlesse the reall Sume due in the Condictiō of such Bond amounts to Twenty pounds or Five Thousand pounds of Tobacco Any Thing in this Act or any other Statute Law Custome or Usage to the Contrary notwithstanding.

Provided always That nothing in this Act shall Extend or be Construed to Extend to debarr or hinder any pson from bringing his Accon in the Provincially or Superior Court on any Covent<sup>t</sup> or on



any Bond for performance of any Covenant or for the Performance or Sufferance of any Act or Acts Thing or Things whatsoever, Although the reall damages or Sume recovered by such Accōn of Covenant be lesse then Twenty pounds Sterl or Five Thousand pounds of Tobacco, And soe As the penalty of such Bond for the performance of Coven<sup>ts</sup> or performance or Sufferance of any other Matter or Thing whatsoever Exceed Twenty pounds in Money or Five Thousand pounds of Tobacco, But noe Bond for payment or performance of any Bill of Exchange shall be prosecuted in any Court but the County Court unlesse the Originall or principall mencōned in such Bill of Exchange and due on the same protested shall amount to Twenty pounds Sterl Any thing in this Act or any other Statute Law use or Custome to the Contrary notwithstanding.

Liber LL, 4  
Acts

p. 31

And be it further Enacted by the Authority Advice and Consent aforesaid That from and after the End of this p<sup>r</sup>sent Session of Assembly if the drawer or Endorser of any Bill of Exchange shall be sued or prosecuted in any Court of this Province for any sume of Money due upon any protested Bill of Exchange, the Attorneys prosecuting or defending any Accōn thereupon shall not Exact demand Receive or take any more then One lawfull Fee according to the direccōns of this Act for prosecuting or defending any Accōn upon any One protested Bill notwithstanding there be Two or more Endorsers and the drawer sued and prosecuted, And that it shall and may be lawfull To and for the Plaintiffs in any Accōn to be brought on any protested Bill to put into any One Writt Two or more def<sup>ts</sup> resideing in One County if Occasion shall require And shall not pay for the same any other Fee or Reward than for One Writt And Shall and may At his Eleccōn declare against such def<sup>ts</sup> in One or more declaracōns As he shall think fitt Any Law Statute Usage or Custome to the Contrary notwithstanding.

And be it further Enacted by the Authority Advice and Consent aforesaid That it shall and may be lawfull To and for the def<sup>t</sup> in any Writt Issued or to be Issued out of the Provinciaall Court after Arrest and Bayle given To the sherriffe for his Appearance and before the Returne of such Writts to goe before the President or any Two Justices of the County Court where such defend<sup>t</sup> shall be Arrested with Two Sufficient Freeholders of this Province such As the Justice or Justices before whom such defend<sup>t</sup> shall goe shall approve of And then and there give speciall Bayle to any Accōn by Vertue of such Writt. which Bayle soe taken shall be delivered to the Sherriffe of such County where the same is taken to be by him returned with such Writt to the Provinciaall Court, And the s<sup>d</sup> Bayle soe Taken and returned to the Provinciaall Court with such Writt shall be As sufficient As if taken before the Presid<sup>t</sup> of the County Court after the Returne of the Writt and Appearance Entered according to the direccōns of the Act of Assembly for Takeing special Baile in the County, nor shall such defend<sup>t</sup> be Obligated to

Liber LL, 4  
Acts appear in propper person but by Attorney if he sees fitt, Any Thing in the s<sup>d</sup> Act, Or any Law Statute Use or Custome to the Contrary notwithstanding.

And be it further Enacted by and with the Authority Advice and Consent aforesaid That from and after the End of this p<sup>s</sup>ent Session of Assembly It shall and may be lawfull To and for the Attorneys practicinge in the County Courts of this province to have Take demand and receive As a Fee for any Acc<sup>o</sup>ns by them brought in such Court where the debt or damage Exceeds Two Thousand pounds of Tobacco, or Ten pounds in money the Summe of Two Hundred pounds of Tobacco, to be recovered According to the direcc<sup>o</sup>ns of the Act for limitting Attorneys Fees, The same Act or any other Law to the Contrary notwithstanding.

p. 32 Provided always that this Act or any Thing therein Contained shall not Extend to the Benifitt or Advantage of any Persons that shall Abscond or flye from Justice in the Countys where they live but that such persons may be Arrested in any County wheresoever they be to be found.

This Act to Endure till the End of the first Session of Assembly that shall happen after the Arrivall of a Captain Generall or Governour in Chief into this Province

Acts of 1712,  
ch. 2 An Act making Valid and Effectuall in Law a deed of Bargaine and Sale made by Colonell Ninian Beale of Prince Georges County to Michael Ashford late of the same County.

Whereas it appeares unto this Generall Assembly That Benjamin Haddock Mariner being a Resident for some Time in this Province and possessed of Five Hundred Acres of Land part of a greater Tract called Haddocks Hills alias Seamans Delight and bound for England by his Letter of Attorney duely by him Executed and bearing date the fifth day of June Anno Domini Sixteen Hundred Eighty six, did Impower and constitute Ninian Beale of Prince Georges County to mannage all his the said Benjamins Estate in the Province of Maryland, And whereas it likewise appeares That the said Ninian Beale in pursuance of the said Letter of Attorney (thinking and takeing for Granted that thereby he had a power soe to doe) by his deed of Bargaine and Sale Indented and duely Acknowledged and Recorded in the Records of Prince Georges County and bearing date the second day of August In the Yeare of our Lord God sixteen Hundred ninety Eight did convey the said Five Hundred Acres of Land to a Certain Michael Ashford of Prince Georges County Carpenter his Heires and Assignes forever, for the Considerac<sup>o</sup>n of Twenty One Thousand pounds of Tobacco in the said deed menc<sup>o</sup>ned to him really and bona fide then in hand paid, And whereas it likewise appeares that the said Benjamin Haddock Came into the said province in the Yeare of our Lord God Seventeen Hundred And did Call

the said Ninian Beale to Account for the Consideracon of the said Sale by him made to the said Ashford which said Ninian then by Tobacco and Foure Hundred fifty six Acres of Land part of a Tract of Land called the Inclosure by him duely Conveyed to the said Haddock his Heires and Assignes forever, really and bona fide Satisfied the said Benjamin Haddock the said Consideracōn in the said deed from Ninian Beale to the said Ashford mencōned of which the same Benjamin Haddock Accepted and Approved of the said Sale soe As aforesaid made to the said Ashford, But forasmuch As the aforesaid Letter of Attorney in strictness of Law will not Warrant the said Sale made to the s<sup>d</sup> Michael Ashford And that the s<sup>d</sup> Benjamin Haddock hath not by any Instrument in writing confirmed the sale aforesaid to the said Michael Ashford though he really recēd the consideracōn in manner aforesaid and approved of the s<sup>d</sup> Sale made to Ashford to make good the said deficiencies and the said Sale to Ashford, It is prayed that it may be Enacted.

Liber LL, 4  
Acts

p. 33

And be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advice and consent of her Majestys Presid<sup>t</sup> Councill and Assembly of this Province and the Authority of the same That the Sale Aforesaid made by the said Ninian Beale to the aforesaid Michael Ashford his Heires and Assignes forever of the said Five Hundred Acres part of Haddocks Hills alias Seamans delight shall forever be As good Effectuall and valid in Law to all Intents and purposes whatsoever As if the same had been Executed done performed and acknowledged by the s<sup>d</sup> Benjamin Haddock, And that the same Michael Ashford his Heires and Assignes and all persons Claiming under him or them shall and may by vertue of the s<sup>d</sup> Sale made by the said Ninian Beale forever hereafter hold Occupy Possess and Enjoy the said Five Hundred Acres of Land in Fee simple against the said Benjamin Haddock his Heires and Assignes and all persons Claiming by from or under him or them by Vertue of any deed of Conveyance of noe Ancienter date and lawfull Execucōn than the said deed from the said Ninian Beale to the said Michael Ashford Any Law Statute Usage or the Insufficiency of the said Letter of Attorney to the Contrary notwithstanding.

An Act Restraining the Inhabitants of this Province from Selling any quantities of strong Liquors to the Indians and to p<sup>r</sup>vent spreading false Rumors inciting differences betwixt them & her Maj<sup>ties</sup> Subjects of this Province

Acts of 1712,  
ch. 3  
p. 34

Whereas it is Represented to this Generall Assembly That of late Severall disorders and Riotts have been Comitted by drunken Indians, In Order to p<sup>r</sup>vent such like future Misfeazances & Outrages

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the Advice and Consent of her Majestys Presid<sup>t</sup> Councill and Assembly of this Province and the Authority of the same That if any person

Liber LL, 4  
Acts or persons whatsoever from and after the first day of December next  
Ensueing shall by himselfe or Servants or otherwise directly or  
Indirectly vend or Sell to any Indian or Indians in the Space of  
One day above One Galloon of Rum Wine Brandy or Spirits or above  
Five Gallons of Syder Perry Quince drink or Strong Beer such  
person or persons being Convicted thereof shall forfeite the Sume  
of Tree Thousand pounds of Tobacco to our Sov<sup>a</sup>igne Lady the  
Queens Maj<sup>ty</sup> her Heires or Successors the One halfe thereof to be  
Applied towards the defraying the County Charge the other halfe  
to him or them that shall Inform or Sue for the Same to be recov-  
ered in any County Court within this Province by Acc<sup>o</sup>n of debt  
Bill Plaint of Informac<sup>o</sup>n wherein noe Essoyn proteccon or Wager  
of Law to be Allowed

And forasmuch As it is very Observable and manifest That Sundry  
Ill disposed persons have oftentimes by spreading Lyes and false  
Reports Raised and fomented unaccountable heats and Jealousies  
Between the Indians and her Maj<sup>ties</sup> Subjects of this Province for the  
p<sup>r</sup>veñcon of the said Ill practices for the future.

Be it Enacted by the Authority Advice and Consent aforesaid  
that if any person or persons whatsoever shall Wittingly or Willingly  
Raise Spread and Utter any false feigned stories or Reports what-  
soever tending to the disquiet of the Indians or making feuds  
between them and her Maj<sup>ties</sup> Subjects of this Province or shall En-  
deavour by any Sinister or Unwarrantable Means whatever to raise  
or Create any Misunderstanding or difference Between her Maj<sup>ties</sup>  
Subjects and the said Indians every such person or persons, Convict  
of any such Offence or Offences shall forfeite unto our Sovereign  
Lady the Queen her Heires or Successors Five Hundred pounds of  
Tobacco the One halfe thereof to her Maj<sup>ty</sup> for defraying the County  
Charge and the other halfe to him or them That shall Informe or sue  
for the same in any County Court within this Province to be recovered  
As aforesaid.

Provided that this Act or any Thing therein Contained shall not  
be Construed to Extend to the hinderance of any person or persons  
p. 35 whatsoever from relateing or giving an Informac<sup>o</sup>n to any Jus-  
tice of Peace or to the Com<sup>a</sup>nder in Chiefe of the Militia in any  
County within this province of any difference they shall know or  
heare of betwixt her Maj<sup>ties</sup> liege Subjects and the Indians or  
amongst the Indians themselves or of any Cause of suspic<sup>o</sup>n of such  
difference whether signified by Words or Acc<sup>o</sup>ns.

And be it further Enacted by the Authority Advice & Consent af<sup>d</sup>  
That it shall not be lawfull for any of her Maj<sup>ties</sup> Subjects to buy or  
purchase from any Indian or Indians whatsoever any Guns or Match  
Coates for Liquor upon pain of returning to the Indian or Indians  
Such Guns or Match Coates by them purchased And alsoe of looseing  
the price or value of the Liquors Sold them for such Guns and Match-



coates nor shall any of her Maj<sup>ty</sup>s Subjects whatever Trust any Indian or Indians for Liquors or take any pawn or pawns from them on any pretence whatsoever on pain of looseing their debt for such Liquors soe Creditted to the Indians As aforesaid And being Obligated to restore the Indian pawns As aforesaid without any Reward or Satisfaccōn therefore Any Law Statute Usage or Custome to the Contrary notwithstanding.

Liber LL, 4  
Acts

An Act to redress the great Evill Accrueing to this province by the Multiplicity of Useless Horses Mares and Colts that run in the Woods.

Acts of 1712,  
ch. 4

Whereas the Extravagant Multitude of uselesse Horses Mares & Colts that run in the Woods are found very pernicious and burdensome to the Inhabitants of this Province It is thought necessary That some suitable Remedy be provided in that behalfe And therefore

Be it Enacted by the Queens most Excellent Majesty by and with the Advice and Consent of her Maj<sup>ty</sup>s President Councill and Assembly of this Province and the Authority of the same That from and after the last day of May which shall be in the Yeare of our Lord One Thousand Seven Hundred and Thirteen All Stoned Horses shall be kept within good Sufficient Inclosures And in Case any Stoned Horse or Horses that have been taken up and broke fitt for Use shall happen to be found loose and out of such Inclosure It shall and may be lawfull for any person or persons whatsoever to take up and Impound or Cause such Horse to be Impounded in some open pound and there To detain him on the Risk of the Owner thereof or cause him to be soe detained untill the Owner or Owners of such Horses haveing Speedy and Convenient notice of such Impounding shall Satisfye and pay unto the person soe Impounding or Causeing such Horse to be Impounded the sume of five shillings or Sixty pounds of Tobacco.

p. 36

And that in Case any stoned Colt above Twelve Moneths old or stoned Horse unbroke shall any Time after the said Last day of May be found loose in the Woods or out of such Inclosure It shall and may be lawfull for any person whatsoever to shoot or otherwise kill and destroy such Horse or Colt without being Accountable or Answerable to the Owner or Owners of such Horse and Colt or any other person or persons whatsoever in any Accōn or suite whatsoever And in Case any person shall at any Time be sued for any such shooting killing or destroying As af<sup>d</sup> It shall and may be lawfull for such person to give this Act in Evidence upon the Generall Issue Any Law Statute or Custome to the Contrary notwithstanding

And be it further Enacted by the Authority Advice and Consent aforesaid That after the last day of May aforementioned It shall not be lawfull for any person not haveing Land of his own nor renting a plantacōn to keep any breeding Mare or Mares in the Woods upon

Liber LL, 4 the penalty of six Hundred pounds of Tobacco for every breeding  
 Acts Mare by such person owned and kept, the One halfe of which Fines  
 to goe to her Majesty towards the defraying the County Charge  
 where such Offender shall reside the other halfe to the Informer or  
 him or them that shall sue for the same to be recovered by Accōn  
 of debt bill plaint or Informacōn wherein noe Essoyn proteccōn or  
 Wager of Law to be Allowed.

This Act to Continue for Three Yeares and to the End of the  
 Session of Assembly which shall first happen after the Three Yeares.

Acts of 1712, An Act for Regulateing Writts of Error and Granting Appeals from  
 ch. 5 and to the Courts of Coṃon Law in this Province  
 p. 37

Forasmuch As the Liberty of Appeales and Writts of Error from  
 the Judgm<sup>t</sup> of the Provinciaall and County Courts of this Province  
 is found to be of great Use and Benifitt to the good of the people  
 thereof

Be it therefore Enacted by the Queens most Excellent Maj<sup>ty</sup> by  
 and with the Advice and Consent of Her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill and  
 Assembly of this Province and the Authority of the Same That no  
 Execucōn upon any Judgm<sup>t</sup> Obtained either in the Provinciaall or  
 County Courts or other Inferiour Courts of Record within this Pro-  
 vince shall be stayed or delayed or any Supersedeas upon such Judgm<sup>t</sup>  
 granted or Issued forth upon any Appeale or Writt of Error from  
 any such Court or Courts of Record As aforesaid to the Court  
 before whome such Appeale ought to be brought or before whom  
 such Writt of Error ought to be heard and determined unlesse  
 such person or persons in whose name such Appeale or Writt of Error  
 shall be made or brought As aforesaid or some other in his her or  
 their behalfe shall immediately upon makeing such Appeale or sueing  
 out such Writt of Error As aforesaid Enter into Bond with suffi-  
 cient Sureties such As the Justices of the Court by whome Judgm<sup>t</sup>  
 shall be given as af<sup>d</sup> or the Keeper of the Seale for the Time being  
 to whome Applicacōn shall be made for such Writt of Error as  
 aforesaid shall approve of in double the Sume Recovered by such  
 Judgm<sup>t</sup> obtained As aforesaid with Condiçōn That if the party Ap-  
 pealant or party sueing out such Writt of Error As aforesaid shall  
 not pursue the direccōns in this Act hereafter mencōned at the next  
 Court Ensueing before whome such Appeale or Writt of Error ought  
 to be Tryed As aforesaid and prosecute the same with Effect, And  
 alsoe Satisfye and pay to the said party his Executors Admin<sup>rs</sup> or  
 Assignes In Case the said Judgm<sup>t</sup> shall be Affirmed As well All &  
 singular the debts damages and Costs Adjudged by the Court before  
 whom such Accōn was first brought and from whose Judgm<sup>t</sup> such  
 Appeale shall be made or thereon a writt of Error brought As afore-  
 said As alsoe All Costs and damages That shall be Awarded by the  
 Court before whome such Appeale or Writt of Error shall be heard

Tried & determined As aforesaid then the said Bond to be and  
 remaine in full force and Vertue otherwise of noe Effect. Liber LL, 4  
Acts

And be it Enacted by the Authority af<sup>d</sup> by and with the Advice and  
 Consent af<sup>d</sup> That noe person or persons whatsoever ag<sup>t</sup> whome any  
 Judgment shall be given in any County Court of this Province,  
 wherein the debt or damages for which Such Judgm<sup>t</sup> shall be given  
 shall have any Appeal or Writt of Error from the said County Courts  
 or other inferiour Courts of Record to the Provinciaall Court wherein  
 the debt or damages recovered dont amount to the Summe of Six pounds  
 Stert or Twelve Hundred pounds of Tobacco And that noe person p. 38  
 or persons whatsoever against whome any Judgm<sup>t</sup> shall be given in  
 the Provinciaall Court of this Province wherein the debt or damages  
 recovered shall not Exceed the Summe of Fifty pounds Sterling or  
 Ten Thousand pounds of Tobacco shall be Allowed any Appeale or  
 Writt of Error to the Governour or Councill of this province But the  
 Judgm<sup>t</sup> of the Justices of the said Courts by whome such Judgm<sup>ts</sup>  
 shall be given As afores<sup>d</sup> And thereupon Entered shall be definitive  
 for any such debt or damages As aforesaid Any Law Usage or Cust-  
 tome to the Contrary notwithstanding.

And be it further Enacted by the Authority Advice and Consent  
 afores<sup>d</sup> That the Method and Rule of the prosecucōn of Appeals and  
 Writts of Error shall for the future be in Manner & forme As is  
 herein after mencōned and Exprest (That is To say) the party  
 appealing or suing out such Writt of Error As afores<sup>d</sup> shall procure  
 a Transcript of the full pceedings of the s<sup>d</sup> Court from whence such  
 Appeale shall be made or against whose Judgm<sup>t</sup> a Writt of Error  
 shall be brought As afores<sup>d</sup> under the hand of the Clerke of the s<sup>d</sup>  
 Court and Seale thereof & shall Cause the same to be Transmitted to  
 the Court before whome such Appeale or Writt of Error is or ought  
 to be heard Tried and determined As afores<sup>d</sup> And alsoe in the same  
 Court file in the Writeing according to the Rule of the s<sup>d</sup> Court such  
 Error in the pceedings As the Plaintiffe in the Writt of Error shall  
 think fitt to Assigne or such Causes or Reasons As he or they had  
 for making the said Appeale or suing out such Writt of Error As  
 afores<sup>d</sup> upon which Transcript the s<sup>d</sup> Court to whome such Appeale  
 shall be made or before whome such Writt of Error shall be brought  
 As afores<sup>d</sup> shall proceed to Give Judgm<sup>t</sup>

And be it further Enacted by the Authority Advice and Consent  
 afores<sup>d</sup> That All Appeals made in Manner aforesaid shall be Ad-  
 mitted and Allowed of by the Superiour Courts to whome such  
 Appeales shall be made As afores<sup>d</sup> in Nature of a Writt of Error,  
 And that every Clerk of a Court shall at the Time of the Sitting of  
 that Court to which they respectively belong And when any Appeale  
 shall be demanded to Enter a Memorandum of such demand As well  
 in his or their Journall As in the fair Records of the proceedings of  
 such Court, And that noe Clerk of a Court doe refuse or delay upon

Liber LL, 4  
Acts Request of any Appealant As afores<sup>d</sup> to write and make out a Transcript of the whole proceedings As afores<sup>d</sup> und<sup>r</sup> his hand and the Seale of the Court as afores<sup>d</sup> upon penalty to pay the respective damage which such Appealant shall sustain by such Refusall or delay As afores<sup>d</sup> the s<sup>d</sup> party paying or Secureing to be paid such respective Clerk his Just Fees for the same according to Law.

And be it Enacted by the Authority Advice and Consent af<sup>d</sup> That all Appeals or Writts of Error Tryable before the Governour and Councill if it soe shall happen That the former Judgm<sup>t</sup> given shall be by the s<sup>d</sup> Governour and Councill Affirmed such a determinacōn  
p. 39 shall be finall and without any further Review unless such Judgm<sup>t</sup> shall Exceed the sume of Three Hundred pounds sterling or Sixty Thousand pounds of Tobacco Then and in every such Case the party against whome such Judgm<sup>t</sup> shall be given may Appeale to the Queen and Councill in England.

And be it further Enacted by the Authority Advice and Consent afores<sup>d</sup> That all Appeals or Writts of Error already made and brought or hereafter to be made or brought before the Governour and Councill shall and may be heard by the s<sup>d</sup> Governour and Councill out of Assembly Time. Any Thing in the same Writt Any other former Law or practice to the Contrary Notwithstanding. And for that it may soe happen that the Governour of this province for the Time being may hereafter be Concerned in an Appeale made or Writt of Error brought from the Judgm<sup>t</sup> of the Provinciaall Court to the Governour and Councill af<sup>d</sup> or he otherwise indisposed or Absent

Be it therefore Enacted by the Authority Advice and Consent afores<sup>d</sup> That it shall and may be Sufficent in every such Case for the Councill onely to hear and determine such matters of Controversy, whereof the first of the Councill in Commission being then p<sup>s</sup>ent shall preside whose Judgm<sup>t</sup> thereupon shall be definitive (Except before Excepted) in As full and ample manner As if the said Governour were then Actually p<sup>s</sup>ent and p<sup>r</sup>videing Any thing in this Act to the Contrary notwithstanding.

Acts of 1712,  
ch. 6  
(Amends  
1704, ch. 60) A Supplementary Act to the Act of Assembly of this Province for the punishing the Offences of Adultery and Fornicacōn

Whereas by the Act of Assembly of this Province now in force for the punishing the Offences of Fornicacōn and Adultery, It is amongst other Things therein Enacted That Whosoever should directly or Indirectly Entertain Provide for or Cause to be Entertained or p<sup>r</sup>vided for any Lewd Woman or Women or that should frequent  
p. 40 her or their Company after Admonicōn to him or them should be given by the Minister or the Vestry or the Churchwarden or Churchwardens of the parrish where such person or persons should Inhabite should be Adjudged a Fornicator or Adulterer As the Case should



be and should suffer such penalties As by the said Law was thereafter appointed but Forasmuch As the said Act has not its desired Effect for Want of Ascertainig what Women shall be Accounted Lewd. Liber LL, 4  
Acts

Be it therefore Enacted by the Queens most Excellent Majesty by and with the Advice and Consent of her Maj<sup>ty</sup>s President Council and Assembly of this Province and the Authority of the same That It shall and may be lawfull for the Minister Vestry & Churchwardens of any parish where there is a Minister and for the Vestry and Churchwardens where there is noe Minister before any Admonicōn by them or any them given in pursuance of the direccōns of the afore mencōned Act to give notice or Cause Notice to be given to any person or persons by them or the Major part of them Suspected of Lewdness or Incontinency & being Resideing within their respective parishes to appeare before them or the Major part of them At such Time & place As they or the Major part of them shall appoint, And on the Appearance of such person or persons to Acquaint them of the suspicōn that is had of them and to heare what reasonable Excuse such persons shall offer why they ought not to be proceeded against according to Law As Fornicators or Adulterers As the Case shall happen, And in Case the person or persons haveing such Notice given them shall not appeare according to such Notice on Affidavit of such Notice given or appearing doe not Excuse or Acquitt themselves of the Grounds of such Suspicion in such Manner As such Minister Vestry and Churchwardens As afores<sup>d</sup> shall approve, That then it shall and may be lawfull for such Minister Vestry & Churchwardens or the Major part of them As afores<sup>d</sup>, And they are hereby required to Admonish such person or persons according to the direccōns of the afore mencōned Act which Admonicōn together with proof of the Cohabitacōn of the parties soe Admonisht or they frequenting the Company of each other Contrary to and after such Admonicōn given shall be sufficient Evidence in any Court of this Province to Convict the p<sup>rs</sup>ons soe Cohabiteing or frequenting each others Company after such Admonicōn given As aforesaid of Fornicacōn or Adultery As the Case shall happen and Subject them to the penalties Exprest in the afore mencōned Act for punishing the Offences of Adultery & Fornicacōn Any Law Statute or Custome to the Contrary notwithstanding.

And Forasmuch As Severall Lewd Women within this Province to Colour their Ill practices And to avoid being Separated from those That Entertain them doe frequently Enter into feigned Articles Coven<sup>ts</sup> or Indentures to serve such p<sup>rs</sup>ons for a Terme who Claime them As their property for the Terme by them Agreed or p<sup>r</sup> tended to be Agreed on when really such Articles Coven<sup>ts</sup> or Indentures have noe other Consideracōn but are purely devised by them to Elude the Law and Continue their wicked & Lewd Conversacōn. p. 41

Be it therefore Enacted by the Authority Advice & Consent af<sup>d</sup> That it shall & may be lawfull for the Justices of the respective

Liber LL, 4  
Acts County Courts where such psons inhabite to enquire into the Consideracōn of such psons soe Indenting & Covenanting As af<sup>d</sup>, And if they find the s<sup>d</sup> Coven<sup>ts</sup> are not upon good & valuable Consideracōns but meerly to Colour their Cohabiteing to take Security for p<sup>r</sup>ven<sup>c</sup>ōn of their future Comōrancy As in their direccōn they shall see fitt, And upon refusall of such psons giveing such Security to be required of them by the Justices af<sup>d</sup> It shall and may be lawfull for the s<sup>d</sup> Justices to Comitt and such pson or psons soe refusing As af<sup>d</sup> to the County Goale untill they give the securityes demanded by the Justices As af<sup>d</sup> any Law statute Use or Custome to the Contrary notwithstanding.

Acts of 1712, ch. 7  
(Amends A Supplementary Act to the Act for Stay of Execucon after the Tenth of May Yearly

1704, ch. 49;  
repealed by 1715, ch. 33) Whereas the Act of Assembly of this Province for Stay of Execuccōns after the Tenth day of May yearly now in force has not provided a Convenient Method for the Superceedeing such Execu<sup>c</sup>ōns As Issue out of the Provinciall Court.

Be it Enacted by the Queens most Excellent Majesty by and with the Advice & Consent of her Majestys Presid<sup>t</sup> Councill and Assembly of this Province and the Authority of the same That the Presid<sup>t</sup> or Two Justices of any County Court within this Province may proceed to the staying or superceeding the Execution of any Judgm<sup>t</sup> rendred or to be rendred in the Provinciall Court As fully & Effectually to all Intents Construccōns & purposes As any Justice of the Provinciall Court by vertue of the said Act for stay of Execu<sup>c</sup>ōn after the Tenth of May Yearly might or ought to doe.

Acts of 1712, ch. 8  
p. 42 An Act for the paym<sup>t</sup> & Assessm<sup>t</sup> of the publick Charge of this Province

Whereas there has been Three Hundred Ninety Two Thousand Ninety four pounds of Tobacco And Three Hundred Ninety four pounds Sixteen Shillings and Six pence in Mony laid out and Expended for the publick service of this Province to the fifteenth day of November this p<sup>r</sup>sent Yeare Seventeen Hundred and Twelve To the Intent the same may be satisfied and paid to whome the same is due As by the Journall of the Committee for laying the publick Levy and Lists for paym<sup>t</sup> thereof thereto Annext appears.

Be it Enacted by the Queens most Excellent Majesty by and with the Advice and Consent of her Maj<sup>ties</sup> Presid<sup>t</sup> Councill and Assembly of this province and the Authority of the same That the s<sup>d</sup> sume of Three Hundred Ninety four pounds Sixteen Shillings & Six pence in money be Satisfied and paid to whome the same is due out of the publick stock raised and lodged in the publick Treasurers hands of this province And that the aforesaid Sum<sup>e</sup> of Three Hundred ninety

Two Thousand ninety four pounds of Tobacco be by an equall Assessment<sup>t</sup> of Twenty four pounds of Tobacco p<sup>p</sup>oll Levyed on the Taxable Inhabit<sup>ts</sup> of this Province And by the Sherriffe of each respective County Collected and paid to the Severall persons to whome it is due according to the said Journall and List of payments

Liber LL, 4  
Acts

And Whereas in and by an Ace of Assembly of this province Entitled an Act of direcons for the Sherriffes Office And for the more Easy paym<sup>t</sup> of the publick & County Levy It is Enacted that no Sherriffe within this Province should Levy by way of Execucōn any publick dues or Officers Fees upon the Body Goods or Chattells of any the Inhabitants of this Province Except they made a demand thereof at or before the Twentyeth day of January for that p<sup>r</sup>sent year and soe successively every Yeare Therefore this p<sup>r</sup>sent Generall Assembly taking into Consideracōn That by reason of their Sitting so late this Winter It is thought Impossible for the severall Sherriffes of this Province to make demands of the publick dues and Officers fees by the Time appointed in the afore recited Act.

Be it therefore Enacted by the Authority Advice and Consent aforesaid That for this p<sup>r</sup>sent yeare the Several Sherriffes within this Province shall have Liberty for and untill the Tenth day of February next to demand the public dues and noe longer And that if the same be demanded by that Time It shall be lawfull for them to Execute for the same according to the Tenour of the s<sup>d</sup> recited Act, And that if any publick Creditor shall on or before the Tenth day of February next give Notice to the Sherriffe of his Intentions to make Use of the Tobacco due to such Creditor the Sherriffe shall be Obligated to pay the same And that if any person whatsoever will pay Money instead of Tobacco for the Levys by the Tenth day of February next the Sherriffe shall be Obligated to take Receive & pay the same according to the direccōns of the said recited Act. Any thing in this Act or any other Act Statute Usage or Custome to the Contrary notwithstanding.

p. 43

An Act Confirming the Probate of the Will of John Harrison late of Charles County deceased

Acts of 1712,  
ch. 9

Whereas heretofore (To Witt) on or about the fifth day of December Anno Dom. Sixteen Hundred and ninety a Certain John Harrison of Charles County Gentleman made his Will and Testam<sup>t</sup> and duly perfected the same by signing Sealing and publishing thereof in the p<sup>r</sup>sence of Foure witnesses by which Will he amongst other Things devised Sundry Interests & Estates in diverse Tracts of Land unto One John Dent late of St. Maryes County Gentleman decēd and appointed the said John Dent the Executor of his said Testam<sup>t</sup> And Whereas all the Witnesses to the said Will were dead or gone to Forreigne parts before the yeare Seventeen Hundred and

Liber LL, 4 five the Time of the probate of the said Will, soe that the same Pro-  
 Acts bate could not be soe perfectly made As by the Rules of Law in such  
 Cases is required, And Whereas the said John Dent by his last Will  
 and Testam<sup>t</sup> duly perfected bearing date the Twenty fifth day of  
 December Anno Dom. Seventeen Hundred and Eleven (which s<sup>d</sup>  
 last Will and Testam<sup>t</sup> appears legally proved and Recorded in the  
 Commissary Generalls Office of this province) amongst other Things  
 & devices therein devised unto his son John Dent divers of the Lands  
 which were devised by the said Harrison to the said John Dent the  
 Father upon which the said John Dent the Son has petitioned this  
 p<sup>s</sup>ent Generall Assembly that for the rendring Valid and Effectuall  
 the Will and Testam<sup>t</sup> aforesaid of the s<sup>d</sup> John Harrison And alsoe  
 for the better Confirmacōn of the severall Estates in the said Two  
 Wills devised or Intended to be devised to the Severall and Re-  
 spective devisees therein mencōned according to the true Intent and  
 meaning of the respective devisors the said John Harrisons Will with  
 the probat thereof As it stands Recorded in the Commissary Generalls  
 p. 44 Office may by an Act for that purpose be rendred As Effectuall To  
 all Intents and purposes As if the same Will had been duely proved  
 by the severall Witnesses thereto And for that the said last men-  
 cōned John Dent has made the Justice & Reasonableness of his s<sup>d</sup>  
 Peticcōn Sufficiently appear, It is humbly prayed That it may be  
 Enacted.

And be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with  
 the Advice and Consent of her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill and Assembly  
 of this Province and the Authority of the Same That the afore  
 mencōned Will and Testam<sup>t</sup> of the afore mencōned John Harrison  
 be As Valid & Effectuall in Law to all Intents Construccōns and  
 purposes As if the same had been duely proved by the Oath of all the  
 Witnesses thereto Any defect in the Probate thereof or any Law  
 Statute or Custome to the Contrary notwithstanding

Provided that this Act or any Thing therein Contained shall not  
 p<sup>r</sup>judice the right of any person or persons whatsoever Claiming by  
 virtue of any Subsequent or latter Will made by the said John  
 Harrison if any such shall at any Time hereafter appeare duly Exe-  
 cuted and proved according to Law Any Thing in this Act to the  
 Contrary notwithstanding

Acts of An Act for Confirming unto Francis Sherwood and his Heires an  
 Oct. 1712, Estate in Fee simple of in and unto Certain Lands devised him  
 ch. 13 by his Father  
 p. 48

Whereas Hugh Sherwood late of Talbott County Gentleman on  
 or about the nineteenth day of January Anno dom Seventeen Hun-  
 dred & Ten made his last Will and Testam<sup>t</sup> in Writeing whereby  
 amongst other Things therein Contained he devised unto his sonn  
 Francis Sherwood All the Land he was then possesst withall (Ex-



cept One parcell called Crooked's Intention) And whereas the said Francis has petitioned this p'sent Generall Assembly That Forasmuch As the said Land is not Expressly mencōned in said Will to be devised to the said Francis and his Heires he is Apprehensive That after his decease it would descend to the said Hugh's Heire at Law contrary to the devisors Intent unlesse some propper Remedy were provided for him in that behalfe And has therefore prayed That he might have Leave given him to bring in a Bill for that purpose, And for that the said Francis has made it sufficiently appeare both by the person's Evidence That wrote said Will and other Testimony That it was the reall Intent of said Hughs and alsoe his direccōns to the s<sup>d</sup> Writer of the will afores<sup>d</sup> That the said Lands (unexcepted As afores<sup>d</sup>) should be Expressly devised to the said Francis and his Heires for ever And also forasmuch As Daniel Sherwood of Talbott County Gentleman Eldest sonn and Heire at Law of the said Hugh hath appear'd and heard Peticcōn of said Francis And alsoe his Allegacōns and Evidences in Reference thereto and hath not made any Materiall Objeccōns to the same It is therefore humbly prayed that It may be Enacted

Liber LL, 4  
Acts

And be it Enacted by the Queens most Excellent Majesty by and with the Advice and Consent of her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill and Assembly of this Province and the Authority of the same That it may and shall be lawfull for the said Francis Sherwood and his Heires forever to have hold and Enjoy As full and ample Estate of Inheritance of in and unto All the Lands whereof the said Hugh died possesst (Except Crooked's Intention aforemenconed) As if the same had been Expressly devised by the said Will to him the said Francis and his Heires forever, any defect or Omission of necessary words in said Will to make the device aforemenconed to amount to a device of an Estate in Fee in the s<sup>d</sup> devised Lands notwithstanding

P. 49

An Act Reviving An Act of Assembly of this Province Entituled an Act laying an Imposiccōn of Three pence p hogshead on Tobacco for defraying the publick Charge of this Province.

Acts of  
Oct. 1712,  
ch. 14  
(Continues  
1704, ch. 64)

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the Advice and Consent of her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill and Assembly of this Province and the Authority of the same that the above mencōned Act Entituled an Act for laying an Imposiccōn of Three pence p<sup>r</sup> hogshead on Tobacco for defraying the publick Charge of this province made at a Session of Assembly begun and held At the port of Annapolis the fifth day of December Anno Dom Seventeen Hundred and four be and is hereby revived and Continued in full force and strength from and after this p'sent session of Assembly for and dureing Three yeares And to the End of the next Session of Assembly after the Three yeares

Liber LL, 4 A Supplement to the Act for appointm<sup>t</sup> of Constables and what  
 Acts relates to their Office and Ascertainning what persons are Tax-  
 Acts of ables  
 Oct. 1712,

ch. 15 Forasmuch As by the Act of Assembly Entituled an Act for ap-  
 (Amends) pointm<sup>t</sup> of Constables and what relates to their Office made At a  
 1704, ch. 61) Session of Assembly begun and held at the Town and port of An-  
 napolis in Ann Arrundell County the fifth day of September In the  
 Third year of the Reigne of our Sov<sup>a</sup>igne Lady Queen Anne &c  
 Anno Dom Seventeen Hundred and four It is directed in what  
 manner the Constables shall take their Lists of Taxables but As-  
 certains not what persons are Taxables and what not.

p. 50 Be it therefore Enacted by the Queens most Excellent Maj<sup>ty</sup> by  
 and with the Advice and Consent of her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill and  
 Assembly of this province and the Authority of the same that all Male  
 persons Resid<sup>ts</sup> in this province and all Female Slaves therein of the  
 Age of Sixteen yeares or above shall be Accounted Taxables (Except  
 Clergy Men and likewise such poor people As receive Almes from the  
 County, And alsoe All such Slaves As shall be Adjudged by the  
 County Courts to be past Labour who are hereby Exempted from  
 Taxes.

Acts of An Act Confirmeing and makeing good and Valid in Law a Certaine  
 Oct. 1712, deed of Bargaine and Sale made by Edward Hancox deceased to  
 ch. 16 Thomas Johnson of Liverpool Esq<sup>r</sup>

Whereas S<sup>r</sup> Thomas Johnson of Liverpool in the Kingdom of  
 great Brittain Knight by his Peticcōn to this p<sup>s</sup>ent Generall As-  
 sembly hath Sett forth, That he sometime since Intrusted Edward  
 Hancox late of Ann Arrundell County decēd with a Considerable  
 quantity of Goods to be disposed of for the proper Account of him  
 the s<sup>d</sup> S<sup>r</sup> Thomas Johnson and Company of Liverpool Merchants,  
 And that the said Edward Hancox not haveing rendred them the  
 Just Accounts he was Obliged to and makeing Use of and converting  
 the Goods and Money thereby Arriseing to his own Use, They the  
 said S<sup>r</sup> Thomas Johnson and Company employed a Certaine Charles  
 Carroll of Annapolis Esq<sup>r</sup> As their Agent to Call the said Hancox  
 to Account who Obtained Judgm<sup>t</sup> against him in the Provinciall  
 Court to Satisfie which said Judgm<sup>t</sup> the s<sup>d</sup> Edward Hancox the  
 Fifteenth day of June Anno Dom One Thousand Seven Hundred  
 and nine made a deed of Bargaine and Sale to the said S<sup>r</sup> Thomas  
 Johnson by the name of Thomas Johnson of Liverpool Esq<sup>r</sup> And for  
 the Consideracō of Sixty Three pounds Eight shillings Six pence  
 Sold and Conveyed to the said S<sup>r</sup> Thomas Johnson and his Heires  
 forever, a Certaine Tract of Land lying in the Woods in Balte-  
 more County called Timber Grove Containing Five Hundred Acres  
 and duely Executed the same deed with a Letter or Warrant of  
 Attorney directed to William Bladen Esq<sup>r</sup> or any other Attor-  
 ney of the Provinciall Court empowering him or them to acknowl-

edge the aforesaid deed according to the Laws of this Province, Liber LL, 4  
 But instead of Acknowledging the aforesaid deed before the Acts  
 Provinciall Court or some of the Justices thereof the aforesaid deed  
 by some Mistake was Recorded in Ann Arrundell County Court  
 without any Acknowledgm<sup>t</sup> whereby in strictness of Law the said p. 51  
 S<sup>r</sup> Thomas Johnson's Title to the said Land becomes p<sup>r</sup>carious, And  
 the s<sup>d</sup> Edward Hancox departing this Life soon after the making  
 of the s<sup>d</sup> deed the said S<sup>r</sup> Thomas Johnson Cannott now procure any  
 further Conveyance or Assurance to the s<sup>d</sup> Land the Truth of all  
 which Allegacōns plainly appearing to this p<sup>r</sup>sent Generall Assembly  
 It is humbly prayed That it may be Enacted

And be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and  
 with the Advice and Consent of her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill and As-  
 sembly of this Province and the Authority, of the same That the  
 afores<sup>d</sup> deed of Conveyance soe As aforesaid made from the said  
 Edward Hancox to the s<sup>d</sup> S<sup>r</sup> Thomas Johnson shall for ever be As  
 good Valid and Effectuall in Law to all Intents and purposes what-  
 soever As if the same had been by the said Edward Hancox in his  
 Life Time legally Acknowledged and Recorded in the Provinciall  
 Court or County Court of Baltimore County And that the s<sup>d</sup>  
 S<sup>r</sup> Thomas Johnson by Vertue of the s<sup>d</sup> Conveyance and of This  
 Act shall have hold and Enjoy to him and his Heires forever As  
 good an Estate in Fee Simple of in and to the s<sup>d</sup> Land in the s<sup>d</sup> Con-  
 veyance mencōned As he Could or ought to have had, if the said deed  
 or Conveyance had been legally Acknowledged by the s<sup>d</sup> Edward  
 Hancox in his Life Time, the want of the Acknowledgm<sup>t</sup> thereof  
 according to the s<sup>d</sup> Warrant or Letter of Attorney or the due and  
 legall Recording thereof or any Law Use or Custome to the Contrary  
 notwithstanding

An Act for the Naturalization of Samuel Guichard of Ann Arrundell  
 County Planter Acts of  
 Oct. 1712,  
 ch. 17

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the  
 Advice & Consent of her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill & Assembly of this  
 Province and the Authority of the same That Samuel Guichard of  
 Ann Arrundell County Planter be in all Things Adjudged taken  
 Reputed had held and Governed As her Maj<sup>ty</sup>s Naturall born Subject  
 of this Province, And that he by the Authority aforesaid be Enabled  
 and Adjudged to all Intents and purposes to demand Challenge Ask  
 have hold and Enjoy any Lands Tenem<sup>ts</sup> Rents and Hereditam<sup>ts</sup> to  
 which he might be in any wise Entituled As if he had been her Maj<sup>ty</sup>s  
 free and naturall born Subject of this province and alsoe That he be  
 Enabled to Maintaine prosecute Avow Justify and defend all manner p. 52  
 of Accōns suits Pleas Plaints and other demands whatsoever As  
 liberally frankly freely fully and lawfully As if he had been her Maj<sup>ty</sup>s  
 naturall born Subject of this Province any Law Statute Usage or  
 Custome to the Contrary in any Wise notwithstanding.

Liber LL, 4 An Act reviving a Certain Act of Assembly of this Province En-  
 Acts titled an Act Ascertainning fees to the Attorneys and Practiconers  
 Acts of of the Law in the Courts of this Province And for levying the  
 Oct. 1712, Same by way of Execucōn  
 ch. 18  
 (Revives  
 1708, ch. 8)

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with  
 the Advice and Consent of her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill and Assem-  
 bly of this province and the Authority of the same That the above  
 mencōned Act Ascertainning fees to the Attorneys and practiccōners  
 of the Law in the Courts of this province and for levying of the same  
 by way of Execucōn made At a Session of Assembly begun and held  
 At the port of Annapolis November the Twenty ninth Anno Dom  
 One Thousand Seven Hundred & Eight be and is hereby Revived  
 and Continued in full force and strength from and after this p<sup>r</sup>sent  
 Session of Assembly for three yeares and to the End of the next  
 Session of Assembly after the Three Yeares

Acts of An Act for Investing Margarett the Wife of Thomas Hollingsworth  
 Oct. 1712, and Kathrine Wells daughters of Zorobabell Wells with as ample  
 ch. 20 an Estate of Joyntenancy in Fee Simple of in and unto Certain  
 p. 54 Lands devised them by their Father As if the same had been Ex-  
 pressly soe devised them by his Will

Whereas Thomas Hollingsworth of Queen Anns County on  
 behalfe of his Wife Margrett the Daughter of Zorobabell Wells and  
 Katharine Wells One other of the s<sup>d</sup> Zorobabells daughters petic-  
 cōned the Generall Assembly last held for this province That Whereas  
 it appeared by the last Will and Testament of their Father Zorobabell  
 Wells dated the Twenty fifth day of March Anno dom Sixteen Hun-  
 dred and ninety Six duely perfected proved & recorded in the Comis-  
 sary Generalls Office, That the said Zorobabell did thereby (amongst  
 other things therein Contained) Give and bequeath unto his dear and  
 loveing Wife Katharine Wells the Lands he then lived on dureing  
 her Life and after her decease to his daughter Margrett and Katha-  
 rine aforementioned the Peticcōners Conceived (their Mother being  
 dead) they had onely an Estate of Joyntenancy for Life devised them  
 in said Land Although they Could plainly make it appeare That it  
 was their said Fathers Intent That they should Enjoy an Estate in  
 Fee Simple in the same And That it was onely an Omission in the  
 writer of the said Will that Occasioned that defect All which they  
 prayed Liberty to prove to the s<sup>d</sup> last Assembly And Whereas the  
 Truth of the Peticcōners suggestions are alsoe made appeare to this  
 p<sup>r</sup>sent Generall Assembly And for that it likewise appeares That the  
 said last Generall Assembly were soe well Satisfied of the Justice and  
 p. 55 reasonableness of the s<sup>d</sup> peticcōners Requests that they then gave  
 Leave to bring in a Bill unlesse the Heire at Law should make his  
 Objeccōns thereto the then next Session being this p<sup>r</sup>sent Assembly,  
 Wherefore and for that the Heire at Law or any other hath not made  
 any Objeccōns to such Bill It is humbly prayed that It may be Enacted



And be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the Advice & Consent of her Maj<sup>ties</sup> Presid<sup>t</sup> Councill and Assembly of this Province & the Authority of the same That the said Margrett Hollingsworth and Katharine Wells be seised of As perfect an Estate of Joyntenancy in Fee simple of in and unto the s<sup>d</sup> Lands whereon the said Zorobabell At the Time of the makeing said Will lived, (which are proved to be the Lands Called Forrest Lodge and Bennetts Addiccōn) As if the said Lands had been Expressly devised in the s<sup>d</sup> Will to them and their Heires forever, any defect in said Will or any Law Statute Usage or Custome to the Contrary thereof notwithstanding

Liber LL, 4  
Acts

An Act to Confirme the last Will and Testam<sup>t</sup> of John Courts late of Charles County Esq<sup>r</sup> decēd.

Acts of  
Oct. 1712,  
ch. 21

Whereas it is Represented to this p<sup>r</sup>sent Generall Assembly That in the last Will and Testam<sup>t</sup> of John Courts late of Charles County Esq<sup>r</sup> decēd Recorded in the p<sup>r</sup>ogative Office of this province there are some Entire Clauses left out and the probate of the same Will Omitted to be Recorded and the Originall Will lost by means whereof the severall Bequests of the said John Courts to his Children are become Voyd And for that it appeares to this p<sup>r</sup>sent Generall Assembly That the following is a true Coppy of the last Will and Testam<sup>t</sup> of the said John Courts (Viz) In the Name of God Amen the Fifteenth day of March in the Yeare of our Lord Seventeen Hundred and Two I John Courts of Charles County being of perfect health of Body and of sound mind and Memory and Calling to mind the Uncertainty of this Life and that all mankind must die when it shall please God to Call doe make and Ordaine this my last Will and Testam<sup>t</sup> in manner following revokeing and hereby makeing void All former Wills and Testam<sup>ts</sup> either by Word or Writeing First I Give my soul unto the hands of Allmighty God That Gave it, Relying on the death and passion Meritts and Mediacōn of my blessed Saviour Jesus Christ for pardon of all my Sins and Eternall Life Secondly It is my will That all such debts As I owe to any person in right and Conscience be Justly Satisfied in Convenient Time after my decease

p. 56

Item I Give and Bequeath unto my well beloved Wife Charity Courts Ten negroes namely Goose, George, Buckler, Mareeah, Jenny, Bess, Gundo, Cat, Sue, Duck to her and her Heires and Assignes forever

Item to my son John Courts I Give & Bequeath A Tract of Land lyeing on the East side of Puttuxon River Called Chance in Calvert County Containing One Hundred and Seven Acres or thereabouts to him the s<sup>d</sup> John Courts and the Heire of his body lawfully begotten And in want of such Heires to my son Henly Courts and the Heires of his body lawfully begotten for ever, And in want of such Heires to my sonn Charles Courts and the Heires of his body lawfully

Liber LL, 4 begotten forever, And in want of such Heires to my sonn William  
 Acts Courts & the Heires of his body lawfully begotten forever, And in  
 Want of such Heires to my Two daughters Ann Courts and Charity  
 Courts and their Heires forever Equally to be divided between them

Item To my sonn John Courts I Give and bequeath Five negroes  
 namely Bob James Jack Mullatto Nan Hanno with their future  
 Encrease to him the s<sup>d</sup> John Courts his Heires and Assignes forever  
 As alsoe One Silver punch bowle Marked R S H and one dozen of  
 silver spoons I. C. C and my silver hilted Rapier and best saddle with  
 Pistolls and Holster thereunto belonging Six Cows & Calves Ten  
 Ews and a Ram One good feather Bed & Furniture to him the said  
 John Courts his Heires & Assignes forever Six Sows and a Boare  
 to him the s<sup>d</sup> John Courts to him his Heires forever, Item to my  
 son Henly Courts I Give and Bequeath One Tract or parcell of Land  
 lyeing in Prince Georges County Containing five Hundred Acres  
 lyeing At the head of Mattawoman Creek Called Crouchs Gift to him  
 the s<sup>d</sup> Henly Courts and the Heires of his body lawfully begotten  
 forever, And on failure of such Heires to the right Heire of me the  
 s<sup>d</sup> John Courts forever As alsoe to the s<sup>d</sup> Henly Courts I Give and  
 Bequeath four Negroes namely Sambo, Tom, Alice, Moll with their  
 future Encrease And alsoe five Cows and Calves with them Eight  
 Ews and Lambs with them And Six Sows and a Boare, One Silver  
 Flaggon marked R H One good feather Bed & Furniture to him the  
 said Henly Courts his Heires and Assignes Item to my Son Charles  
 I Give and Bequeath a Tract of Land in Charles County called Rich  
 hill Containing Three Hundred Acres together with One other par-  
 cell of Land Adjacent to the same Containing Eighty Three Acres  
 together with One other parcell of Land Adjacent to the other  
 Two Called Courts discovery Containing Sixty Acres, As alsoe One  
 other parcell of Land Adjacent to the others Called Barns hill Con-  
 taining One Hundred and fifty Acres As alsoe One other parcell of  
 Land Adjoyning to the s<sup>d</sup> Barn hill given me by my Father John  
 Courts Containing Sixty Acres the Severall parcells of Land afore-  
 said to the s<sup>d</sup> Charles Courts and his Heires of his body lawfully  
 begotten forever And on failure of such Heires to the right Heires  
 of me the s<sup>d</sup> John Courts forever, Item I Give to my sonn Charles  
 Courts and Bequeath Foure Negroes namely Agabath, Peter, Nell &  
 p. 57 Pegg with their future Encrease alsoe Five Cows and Calves Eight  
 Ewes and Lambs with them One Silver Tankerd marked I C Six  
 Sows and a Boare and One good feather Bed and Furniture to him  
 the said Charles Courts his Heires and Assignes forever Item to  
 my son William Courts I Give & Bequeath A Tract of Land lyeing in  
 Charles County on Wicocomico River Called Wicocomico Fields Con-  
 taining by Estimacōn Two Hundred Acres to the s<sup>d</sup> William Courts  
 and his Heires lawfully of his body begotten forever, And on failure  
 of such Heires to the right Heires of me John Courts forever, And  
 alsoe Ten pounds sterling to buy him the s<sup>d</sup> William a Silver Tankard

And alsoe four Negroes namely black Jack Georges son Swann <sup>Liber LL, 4</sup>  
 Nanny and dido with their future Encrease and alsoe Five Cows & <sup>Acts</sup>  
 Calves Eight Ewes and Lambs with them Six Sows and a Boare and  
 One good Feather Bedd and Furniture to him the s<sup>d</sup> William Courts  
 his Heires and Assignes forever, Item to my daughter Anne Courts  
 I Give and Bequeath a parcell of Land lyeing in Prince Georges  
 County near the first falls of Potomack River on Rock Creek  
 Branches Containing Seven Hundred Acres Called Clean Drink to  
 her the s<sup>d</sup> Anne Courts and the Heires of her body lawfully begotten  
 forever, And on failure of such Heires to the right Heire of me the  
 s<sup>d</sup> John Courts forever, Alsoe Two negroes namely Loney & Pegg  
 with her future Encrease alsoe four Cowes and Calves six Ewes and  
 Lambs with them Six Sows and a Boare And Seven pounds Sterl to  
 buy her the s<sup>d</sup> Anne Courts a Silver Tankerd And One good Feather  
 Bed and Furniture to her the s<sup>d</sup> Anne Courts her Heires and As-  
 signes forever, Item to my Daughter Charity Courts I Give Two  
 Tracts of Land or parcells One of them lyeing upon Potomack  
 River Called Martins Freehold Containing One Hundred and Fifty  
 acres, the other parcell lyeing Adjacent to Zachaia Mannor Called  
 Hargages Hope Containing One Hundred Acres to her & her Heires  
 of her body lawfully begotten forever, And on failure of such  
 Heires to the right Heires of me John Courts forever, Alsoe One  
 Negroe named Agoe & her Encrease and Thirty pounds sterling to  
 buy her the s<sup>d</sup> Charity Courts a Negroe with, alsoe seven pounds  
 sterl, to buy a Silver Tankerd for the s<sup>d</sup> Charity Courts alsoe four  
 Cowes and Calves Six Ewes, and Lambs with them Six Sows and a  
 boare and One good feather Bed and furniture to her the s<sup>d</sup> Charity  
 her Heires and Assignes forever, Item my Will is that the remaining  
 part of my Cleare Estate be disposed of As followeth That is to say  
 One Third part thereof to my s<sup>d</sup> Wife Charity Courts the other Two  
 Third parts to be equally divided among my six Children As afores<sup>d</sup>

Item I doe further will and Ordain that the severall devises and  
 Legacys above devised and Bequeathed to my s<sup>d</sup> Children shall be  
 paid and delivered to them by my Executrix hereafter named At the  
 respective Ages following (that is to say) my sons at their Arrivall  
 At Twenty Yeares of Age and my daughters at the Ages of Sixteen  
 yeares or their respective days of Marriage which shall first happen,  
 And to the End that mutuall Interchange of Paternall Care and  
 dutifull Affeccōn may be p<sup>r</sup>served between my Wife & Children I  
 will & Ordaine that while my Wife remains Sole and unmarried p. 58  
 she may retaine in her hands and to her Use the Educacōn of my  
 Children my whole personall Estate dureing her naturall Life  
 although my said Children All or any of them arrive to their respec-  
 tive Ages for receiveing their porcōns as afores<sup>d</sup> Referring it to her  
 discreccōn Either to Retain their severall porcōns in her hands dure-  
 ing her naturall Life or to deliver them or either of them what part  
 thereof as she shall think fitt accordingly As they shall respectively

Liber LL, 4  
Acts approve themselves to and deserve of her, To which purpose I Constitute my Wife Charity Courts whole and Sole Executrix of this my last Will and Testam<sup>t</sup> dureing her Widdowhood and noe longer and upon the Marriage or death of my s<sup>d</sup> Wife I will & Ordaine the Execucōn of this my Will and Testam<sup>t</sup> As followeth (Viz) If upon such death or Marriage any of my sons are Arrived to the Age of Twenty Yeares, the Eldest of them I then Constitute Executor of this my Will to take into his hands and possession his own his Brothers and Sisters Estates such Executor being Content with a reasonable Satisfaccōn As the Judge in Testamentary Affaires shall Allow him without diminishing any part of my said Childrens porcōns, But if shall so happen That none of my said Children shall be Arrived at that Age at the death or Marriage of my said Wife Then I Ordaine & deposite the same Charge Trust and Confidence in my Brother in Law M<sup>r</sup> James Keech till some of my said Children shall Arrive to that Age; And if the said James Keech should be dead at the Time of such Things happening And none of my Children At the Age afores<sup>d</sup> If his sonn James Keech Junior be then liveing, I deposite the same Trust and Confidence in him the s<sup>d</sup> James Keech Junior for my said Children untill some of them shall Arrive unto the Age afores<sup>d</sup> under the same Condiccōn and Termes afores<sup>d</sup> Provided always and it is my Intent and Meaning whosoever shall have Execucōn of this Will and Testam<sup>t</sup> As above Expressed doe give good Security to performe the same according to the true Intent and Meaning thereof, In Witness whereof I have hereunto sett my hand and Seale this day and yeare first Written John Courts signed Sealed and delivered in the p<sup>r</sup>sence of us Walter Story Elizabeth A Davis her mark Henry P Dell, It is therefore prayed that an Act may pass for the Reliefe of the s<sup>d</sup> John Courts his Children in Confirming his last Will and Testam<sup>t</sup> which is thought reasonable to be Granted.

Be it therefore Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the Advice and Consent of her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill and Assembly of this Province and the Authority of the same That the said Will in this Act Recyted shall be at all Times hereafter Reputed deemed and Taken for the true and reall last will and Testam<sup>t</sup> of the said John Courts Esq<sup>r</sup> And that the same and Every Clause and Article thereof be in full force strength and Effect to all Intents  
p. 59 Construccōns and purposes whatsoever And that the Severall Legatees and devisees therein mencōned and their Heires Exec<sup>rs</sup> and Adm<sup>rs</sup> & every of them shall be fully Impowered by Vertue of this Act to Ask demand Recover and Receive All and every the Legacyes Bequests and devises therein Menconed and Expressed in such Manner and forme As is in the said recited Will menconed and p<sup>r</sup>scribed any Law Statute Usage or Custome to the Contrary or defect of Recording the said Originall Will and the Probate thereof in the p<sup>r</sup>rogative Office of this Province or any other defect whatsoever notwithstanding.



An Act Reviving an Act of Assembly of this Province Entituled an Act Imposing Three pence ꝑ Gallon on Rum and Wine Brandy and Spiritts and Twenty Shillings ꝑ Poll for Negroes for raising a supply to defray the Publick Charge of this Province and Twenty Shillings ꝑ Poll on Irish Servants to p<sup>r</sup>vent the Importing too great a Number of Irish Papists into this Province.

Liber LL, 4  
Acts  
Acts of  
Oct. 1712,  
ch. 22  
(Revives  
1704, ch. 33)

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the Advice and Consent of her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill and Assembly of this Province and the Authority of the same That the above men-  
cōned Act Entituled an Act Imposing Three pence ꝑ Gallon on Rum and Wine Brandy and Spiritts and Twenty shillings ꝑ Poll for negroes for raising a Supply to defray the publick Charge of this Province and Twenty shillings ꝑ poll on Irish Servants to p<sup>r</sup>vent the Importing too great a Number of Irish Papists into the Province made At a Session of Assembly begun and held at the Port of Annapolis the fifth day of December Anno dom Seventeen Hundred & foure be and is hereby Revived and Continued in full force and Strength from and after this p<sup>r</sup>sent Session of Assembly after Three Yeares.

An Act for Naturalization of Peter Overard of the Citty of Annapolis Sadler Daniel Packett of Ann arde<sup>l</sup> County Labourer Joseph Crismand of Charles County planter, And Ambrose Nelson of Baltimore County planter

Acts of  
Oct. 1712,  
ch. 24  
p. 60

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by & with the Advice & Consent of her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill & Assembly of this province and the Authority of the same, That Peter Owerard of the Citty of Annapolis Sadler Daniel Packett of Ann Arrundell County Labourer Joseph Crismand of Charles County Planter And Ambrose Nelson of Baltimore County Planter be in all Things Adjudged Taken Reputed had held and Governed As her Maj<sup>ty</sup>s Naturall born Subjects of this Province and that they and every of them by the Authority aforesaid be Enabled and Adjudged to all Intents and purposes to demand & Challenge have hold and Enjoy any Lands Tenem<sup>ts</sup> Rents & Hereditam<sup>ts</sup> To which they or any of them might in any wise Entituled As if they and every of them had been her Maj<sup>ty</sup>s free and Naturall born Subjects and liege people of this Province And alsoe That they and every of them be Enabled to Maintain Prosecute Avow Justify and defend all manner of Accōns Suites Pleas Plaints and other demands whatsoever As Liberally frankly freely fully Lawfully and securely as if they and every of them had been her Maj<sup>ty</sup>s Naturall born Subjects and Liege people of this Province Any Law Statute Usage or Custome to the Contrary in any Wise Notwithstanding.

Liber LL. 4 An Act Reviving an Act of Assembly of this Province Entituled  
 Acts an Act for Encouragem<sup>t</sup> of Tillage & Reliefe of poor debtors.

Acts of  
 Oct. 1712,  
 ch. 25  
 (Continues  
 1704. ch. 28)  
 p. 61

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by & with the Advice and Consent of her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill and Assembly of this Province and the Authority of the same That the above menconed Act Entituled an Act for Encouragem<sup>t</sup> of Tillage and Reliefe of poore debtors made at a Session of Assembly begun and held At the port of Annapolis the fifth day of September Anno Dom Seventeen Hundred and foure be and is hereby Revived & Continued in full force and strength from and after this p<sup>s</sup>ent Session of Assembly for & dureing Three Yeares and to the End of the next Session of Assembly which shall first happen after the End of the said Three yeares.

Provided that the s<sup>d</sup> Act or any Thing therein Contained shall not be Adjudged to Extend to the paym<sup>t</sup> of any protested Bills of Exchange that have been or shall be drawn by any person whatever upon any pson or persons in great Brittain or Else where out of this Province be the same payable to whomsoever.

Acts of  
 Oct. 1712,  
 ch. 26  
 (Continues  
 1704. ch. 41)  
 p. 62

An Act Reviving an Act of Assembly of this Province Entituled an Act Ascertainig the height of Fences to p<sup>r</sup>vent the Evill occasioned by the Multitude of Horses and Restraining Horse Rangers within this Province

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the Advice and Consent of her Maj<sup>ty</sup>s Presid<sup>t</sup> Councill and Assembly of this province and the Authority of the same That the above menconed Act Entituled an Act Ascertainig the height of Fences to p<sup>r</sup>vent the Evill Occasioned by the Multitude of Horses and restraining Horse Rangers within this Province made at a Session of Assembly begun and held at the port of Annapolis the fifth day of September Anno Dom. Seventeen Hundred and four be and is hereby Revived and Continued in full force from and after this p<sup>s</sup>ent Session of Assembly for Three yeares and to the End of the next Session of Assembly after the Three yeares.

Acts of  
 Oct. 1713,  
 ch. 1  
 (Repeals  
 1709. ch. 6)  
 p. 65

An Act of directions for the Sherriffs office in this Province and for the more Easy payment of the Publick and County Levy.

[Other Acts  
 of this  
 Session are  
 printed in  
 Vol. 29  
 of the  
 Archives]

Be it Enacted by the Queens most Excellent majesty by and with the advice and Consent of her Majestys President Councill and Assembly of this province and the authority of the same that no Sherriff under Sherriff or deputy Sherriff shall seize any tobacco unstript or Seize or mark any merchants or others tobacco received marked and nailed for any Cause whatsoever but only for Levy's due to the Publick County parish or forty p pole to the minister and the severall Sherriffs are hereby Impowred to break the lock of any tobacco

house or other houses where tobacco is or shall be secured with  
 designe to prevent the said Sherriff from Seizing such tobacco for  
 Levies and dues as afores<sup>d</sup> and any Sherriff so seizing or marking  
 any hoggshead or hoggsheads of tobacco Containing more than  
 what is Justly due for Leavys and dues as af<sup>d</sup> without Satisfaction  
 to the person to whom such tobacco doth belong as by giving Credit  
 or Suffering him to take the overplus out of such hoggshead of tobacco  
 at the Choice of the party paying or oweing the same shall pay for  
 Every such default the Sum of two thousand pounds of tobacco, one  
 half to her maj<sup>ty</sup> her heirs and Successors for support of Governm<sup>t</sup>  
 the other half to the party grived to be recovered in any court of  
 record of this province by action of debt bill plaint or Information  
 wherein no Essoyn protection or wager of law to be allowed

Liber LL, 4  
 Acts  
 p. 66

And if it shall so happen that at any time any Sherriff shall Seize  
 any hoggshead of tobacco which shall weigh more than such Levy  
 or Levys or dues as af<sup>d</sup> shall amount unto if the remaining part due  
 to the party or partys from whome they shall receive such levy or  
 levys or dues af<sup>d</sup> be the greater quantity then and in every such Case  
 the Sherriff or Sherriffs shall take out of the said hoggshead such  
 quantity or quantitys of tobacco due to him for such Levy or Levys  
 or dues as af<sup>d</sup> and the said hh<sup>d</sup> and the remaining part of the to-  
 bacco shall be and remaine w<sup>th</sup> the party or partys the same, But if  
 the remaining part of such hh<sup>d</sup> of tobacco so seized as af<sup>d</sup> and  
 belonging to the party or partys paying the same shall be the less  
 quantity than is due to the said Sherriff or Sherriffs as af<sup>d</sup> then and  
 in Every such Case the owner or owners of such tobacco shall take  
 out the overplus of such tobacco and the hoggshead with the remain-  
 ing part shall belong to such sherr or sherr<sup>s</sup> receiving the same.

And be it further Enacted by the authority af<sup>d</sup> by and with the  
 advice and Consent af<sup>d</sup> that no sherr or sherriffs within this province  
 shall require ask for demand or receive of or from any person what  
 soever any fees or reward for serving any writt warr<sup>t</sup> or precept  
 from the governour and Councill or from any Justice of peace or for  
 Summoning any grand Juror or for Summoning any Petit Jury in  
 Criminall Causes or for Summoning or Subpoening any witness or  
 wittnesses in Criminall Causes against any person or persons prose-  
 cuted in any of the Courts of this Province as a Criminall or for  
 Executing of any Judg<sup>t</sup> given ag<sup>t</sup> a Criminall, but in all such Cases  
 the severall Sherr<sup>s</sup> shall and are hereby enjoyned and required to Ex-  
 ecute and p<sup>r</sup>form the severall things af<sup>d</sup> Ex Officio, and every Sherriff  
 offending shall forfeit the sume of one thousand pounds of tobacco for  
 Every such offence the one half thereof to her Maj<sup>ty</sup> her heirs and suc-  
 cessors for the support of the governm<sup>t</sup> of this province and the other  
 half thereof to the party grived to be recovered in any Court of  
 record of this province by action of debt bill Plaint or Information  
 wherein no Essoyne protection or wager of law to be allowed.

p. 67

Liber LL, 4  
Acts

And Whereas many Litigious Persons have and for the future may Commence actions of trespassse upon the Case rather out of spite and malice than any real cause of action and not setting forth in the originall writt the Cause of such Action and yet Lay damage to a Vast sune to deter persons from being bayle for prevention whereof for the future.

Be it enacted by the authority advice and Consent af<sup>d</sup> that in all actions of trespass upon the Case where damages are Laid to be above four thousand pounds of tob<sup>o</sup> if no declaration be sent w<sup>th</sup> the writt Expressing the true Cause of Action the sherr shall not require a bayle bond Exceeding the sune of Eight thousand pounds of tobacco although the damages be Laid in the writt for any Greater Sune whatsoever and any sherr Offending herein shall forfeit the sune of four thousand pounds of tobacco, the one half thereof to her Maj<sup>ty</sup> her heirs and Successors for the support of Governm<sup>t</sup> the other half to the party grived to be recovered in any Court of record of this province by action of debt bill Plaint or Information wherein no Essoyn Protection or wager of law to be allowed.

And to the end that publick Creditors may be speedily Satisfyed their debts due from the publick Be it Enacted by the authority advice and Consent af<sup>d</sup> that Every publick Creditor within this province shall be at his Election to make application to the governour of this province for the time being to put such sherr<sup>s</sup> bond or bonds in suit or otherwise may Immediately have an action of debt ag<sup>t</sup> such sherriff in the County where the fact ariseth for such publick tobacco as shall be due to such Creditor, and to the End that no Officer or other Person may be surprized or unjustly molested Either upon the account of paym<sup>t</sup> or collection of publick dues.

Be it likewise Enacted by the authority af<sup>d</sup> by and with the advice and Consent af<sup>d</sup> that any person or persons haveing publick tobacco due to them or fees in any sherriffs hands to Collect and that do not signifie to such sherriff or sherr<sup>s</sup> their dependance and resolution of makeing use of the same on or before the twenty fifth day of December in the year the same shall be due to him or them shall not  
p. 68 have take or demand any benefitt or Advantage by this act allowed for that present Year and so every year successively nor shall the sherr of any respective County, Levy by way of Execution any publick dues or officers fees upon the body goods or Chattells of any the Inhabitants of this province, Except they have made a demand thereof at or before the twentyeth day of January for that present year and so every year successively.

And be it also Enacted by the authority advice and Consent af<sup>d</sup> that any sherr within this province haveing in his hands publick officers fees to Collect shall not presume to Levy by Execution upon the body goods and Chattells of any the Inhabitants of this province any fees to him Committed to Collect where the pson or persons from whom such fees appear to be due produce the former sherr<sup>s</sup>



receipt, or otherwise make appear the same to be paid under forfeiture and penalty of trible the sune Executed to the party or party's Grievd to be recovered with Cost in any Court of record within this province by bill plaint or Information wherein no Essoyn Protection or wager of Law to be allowed. Liber LL, 4  
Acts

And for as much as sherriffs bonds have of late years been usually taken in the County Courts for the better Conveniency of Sherr<sup>s</sup> getting Security for ascertaining the forme whereof for the future

Be it therefore Enacted by the authority Advice and Consent af<sup>d</sup> that all sherriffs bonds hereafter to be taken throughout this province shall be made in manner and forme following (that is to Say) Mary-land ss. Know all men by these presents that we A: B: of ..... County in the province af<sup>d</sup> are holden and firmly bound unto our Sovereign Lady Anne &c<sup>a</sup> in the full sune and Just quantity of two hund<sup>d</sup> thousand pounds of good sound merchantable leaf tobacco and Cask to be paid to her said Maj<sup>ty</sup> her heirs and successors to the which paym<sup>t</sup> well and truly to be made we bind ourselves and Either of us and either of our heirs Executors and adm<sup>rs</sup> Joyn<sup>tly</sup> and Severally for the whole and in the whole firmly by these presents sealed with our seales and dated the       day of       in the       year of her Maj<sup>ty</sup>s reigne Annoq Dom 17.. The Condition of the above obligation is such that if the above bounden A: B: do well and truly Serve her said Majesty her heirs and Successors in the office of high sherr of the County of       within the Province af<sup>d</sup> and also shall render unto her said Maj<sup>ty</sup> and other her Officers a true faithfull and perfect acc<sup>t</sup> of all and Singular her said Majestys rights and dues and to her officers a true and Just acc<sup>t</sup> of their fees that he shall or may be Intrusted with by her Majestys Governour and other her officers within this Province to receive and Collect and his acc<sup>t</sup> to her said Maj<sup>ty</sup> her heirs and successors and to her and their Governour there for the time being for the fines and forfeitures and other dues belonging to her said Maj<sup>ty</sup>s Governour as also his account of all fees dues and Sums of Mony or tobacco for Levy's due to the publick County or parish or forty pounds of tobacco p poll to the minister or fees due to any her Maj<sup>ty</sup>s officers and other good people within this province shall pass an account by the tenth day of May next Ensueing the date hereof and in all other things as sherriff of the County of       shall behave himself well and honestly towards all persons according to the best of his power skill and knowledge, then this obligation to be void and of no Effect or Elce to stand in full force strength and vertue which said bond taken in form af<sup>d</sup> if by the County Court the Commissioners thereof shall Yearly transmitt the same unto the Secretaries office, and the said Commissioners are hereby required and Enjoyed to take new security yearly and Every year of such Sherriffs, so long as they shall Continue in the said office haveing a speciall regard not to admitt any person to be security as af<sup>d</sup> but such as are good and substantiall freeholders within their

Liber LL, 4  
Acts Countys and also to make the obligation of such bond so to be taken from any sherriff answerable to the publick Charge of their respective Countys which penalty shall not be less than two hundred thousand pounds of tobacco as af<sup>d</sup>. And for Encouragem<sup>t</sup> of such persons now bearing or that shall hereafter bear the office of Sherriff and who shall punctually Comply w<sup>th</sup> the publick Creditors, It is also hereby further Enacted by the authority advice and Consent af<sup>d</sup> that it shall and may be lawful for her Majesty's Governour for the time being where no Just Complaint is made against such sherr<sup>s</sup> to Continue and make good their Commission for the time and term of three years successively but no Longer.

And be it further Enacted by the authority advise and consent af<sup>d</sup> that from and after the end of this present Session of Assembly every person or persons within this province which are taxable within the severall and respective Countys thereof shall & may by force and vertue of this act at any time or times between the laying of the County Levy and the five and twentyeth day of December then next Ensueing pay his or their levy or Leavies in money or so much thereof as he or they shall please or think fitt after the rate of one penny per  
p. 70 pound for tobacco and the severall and respective sherr<sup>s</sup> of this province are required by this act to receive the same accordingly. Provided always that when such person or persons shall pay mony instead of tobacco for his or their Levy or Levies as af<sup>d</sup> and shall not pay and discharge the whole sume of tobacco with w<sup>ch</sup> he or they stand Charged for his or their Leavy's by mony but shall Leave some part thereof still due and owing in tobacco, such part so left due in tobacco shall not be less than the quantity of five hundred pounds.

And be it Enacted by the authority af<sup>d</sup> by and with the advice and consent af<sup>d</sup> that the severall and respective Sherr<sup>s</sup> of the severall and respective Countys within this province shall and may after the end of this Sessions of Assembly by force and Virtue of this act pay and discharge proportionably to what he shall receive in mony and not more officers fees and allowances made to any person or persons whatsoever in the publick and County Leavies in mony after the rate of one penny per pound for tobacco

Provided always that when such sherriff or Sherriffs shall pay mony instead of tobacco to any person for his allowance in the publick or County Levy and shall not pay and discharge the whole sum of tobacco due to such person in mony at the rate af<sup>d</sup> but shall Leave some part thereof still due and owing in Tobacco then and in Every such Case such part Left due and owing in tobacco shall not be so broken that the partys Cannot receive the same Intire in a hoggshead or hoggsheads as afores<sup>d</sup>

And be it further Enacted by and with the advice and Consent af<sup>d</sup> that if any high Sherr or high sherr<sup>s</sup> being Indebted to any person or persons, shall refuse to discount or allow the same out

of any publick or County Levy due from such pson or psons but will notwithstanding the Same debt being due from the sherriff take the body or goods of such person in Execution shall be Lyable to be prosecuted in an action of trespass or false Imprisonm<sup>t</sup> as the Case shall require. Liber LL, 4  
Acts

And be it further Enacted that the high Sherriff of Every respective County shall be lyable to be sued as af<sup>d</sup> for his own or any of his deputys offence or offences against this act and the debts mencōned which the Sherriff may owe to any Inhabitant are to be understood of such debts as are assigned to the Inhabitants in the publick County or parish Levy or forty p poll as afores<sup>d</sup> or due from the high sherriff by bill bond note or account proved any law usage or Custome to the Contrary notwithstanding.

And be it further Enacted that a Certain Act of Assembly of this province Entituled an act to reform the Ill practice of the high sherr<sup>s</sup> within this province made at a session of Assembly begun and held at the City of Annapolis the twenty fifth day of Novem<sup>r</sup> Anno Dom. Seventeen Hundred and nine be and is hereby repealed and made Void p. 71

An Act for the relief of John Smith of Cecill County in the regulating a mistake in a certain deed of bargaine and Sale from the devisees of Phillip Lynes Esq<sup>r</sup> to him made Acts of  
Oct. 1713.  
ch. 5  
p. 80

Whereas John Smith of Cecill County son and heir at law to William Smith late of the same County deceased has by his humble petition and allegations Shewn and set fourth to this present General Assembly that it was heretofore to witt on or about the fourth day of February in the Year of our Lord Christ one thousand seven hundred and One agreed by and between Phillip Lynes late of Charles County Esquire deceased (who was seized in fee of two large tracts of land in the aforementioned Cecill County the one Called Friendship the other Belleconell) of the one Part and the aforementioned W<sup>m</sup> Smith of the other part that the said Phillip in Consid<sup>n</sup> of two hundred and five pounds Sterling should Convey assigne make over and Confirme unto the s<sup>d</sup> W<sup>m</sup> his heirs and Assignes for ever a good sure and Indefeazable Estate of Inheritance in fee simple of in and unto one hund<sup>d</sup> & thirty acres of land out of fourteen hundred acres Called Friendship and also of in and unto Eight hundred and Seventy acres of that Land Called Belleconell which Lay next the water on Each side of the run of Elk river in the whole one thousand acres of Land to the use of the s<sup>d</sup> W<sup>m</sup> his heirs and assignes for ever for the better Assureing the performance whereof the s<sup>d</sup> Phillip Lynes Esq<sup>r</sup> past his Obligation to the same W<sup>m</sup> on the fourth day of May Anno Dom Seventeen hundred and three whereby he Oblidged himself and his heirs in the penall Sum of five hundred and fourteen pounds Sterling with Cond<sup>n</sup> that in Case he performed p. 81

Liber LL, 4  
Acts his part of the agreement aforementioned upon payment of the Consid<sup>n</sup> money above Exprest, that then the same Obligation should be Void And whereas as well the s<sup>d</sup> Phillip Lynes as the said William dyed before the Execution of any deed of Sale or Feofment of said land or before the Consid<sup>n</sup> mony fully paid And for that the said John as Son and heir at Law to the said W<sup>m</sup> hath since Com-pleated the payment thereof, and for that the devisees of the said Phillip Lynes to witt Anne Lynes, W<sup>m</sup> Bladen Esq<sup>r</sup> and Mary Contee (then) widdow being minded to Execute and performe on the part of their devisor what In his lifetime was oblided to perform towards the said W<sup>m</sup> Smith and his heirs Executed a deed of bargain and Sale dated the twentyeth day of September seventeen hundred and Eleven Intending thereby to Convey Assure and Confirme unto the said John Smith the son and heir at law as af<sup>d</sup> and his heirs and Assignes the said one thousand acres of Land agreed for by the meets and bounds in the Same deed Exprest as by the same deed acknowledged and Enrolled in the records of Cecill County Court reference thereto being had may more at Large appear But forasmuch as it is made appear to this present Generall Assembly that the land Exprest in the same deed to be surveyed out of that tract Called Belleconell for Eight hundred thirty two acres Contains really within the bounds thereof, as mentioned in said deed but about four hundred fifty four acres the surveyor that Laid out the same haveing Expended that number of pearches in the turnings winding and Meanders of the branch which if Extended in a right Line northerly up the branch would by an East and west Line run Athwart the said main tract from the End of such northerly Line and by the Originall bounds of the said land to the southward of such East and west Line, have Included the quantity of Eight hundred thirty two acres out of the said Belleconell which mistake is prayed to be rectified, And for that Ann Lynes one of the devisees of the said Phillip Lynes who had Elected the residue of the s<sup>d</sup> tract Called Belleconell to herself is Dead since the Executing of the deed of Sale af<sup>d</sup> and hath not left any heir or devisee that Can be made Lyable to any Suit of the said John in Maryland, And for that the true Intent and Meaning of the said Phillip Lynes and W<sup>m</sup> Smith deceased and of the said devisees and the said John Smith is sufficiently made appear to have been that the parcell of Land Conveyed as af<sup>d</sup> out of Belleconell as af<sup>d</sup> for Eight hundred thirty two acres ought to Contain that quantity. But by the mistake af<sup>d</sup> it really Containes but about the Quantity of four hundred fifty four acres above mentioned according to the bounds mentioned in the said deed and for that the payment of the Consideration mony of said land is plainly made appear to have been duly made by the said W<sup>m</sup> Smith and John Smith it is therefore humbly prayed that it may be Enacted.

p. 82

And be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her maj<sup>ty</sup>s President Councill and



Assembly of this province and the authority of the same that it shall and may be lawfull for the s<sup>d</sup> John Smith his heirs and Assignes for ever to have hold use Occupy possess and Enjoy as well the said one hundred Sixty Eight acres of land part of the Friendship Conveyed as af<sup>d</sup> as also Eight hundred thirty two acres of land out of the tract Called Belleconell according to the description following (that is to say) the said Eight hundred thirty two acres to be bounded on the south on the East and on the west w<sup>th</sup> the originall bounds of the main tract Called Belleconell and on the north with an East and west Line to be drawn athwart the said tract from the Eastermost to the westernmost bounds thereof at such a place as may divide the said quantity of Eight hundred thirty two acres to the Southward of said East and west Line and on the southernmost part of said main tract from the residue of the said land lying to the northward of said East and west Line and that the said John Smith his heirs and Assignes for Ever shall peaceably have hold use occupy possess and Enjoy the Same Eight hundred thirty two acres part of Belleconell and the one hundred Sixty Eight acres part of the friendship in the whole Containing one thousand Acres and as good sure an Indefeazable Estate of Inheritance in fee simple therein to the use of him the said John his heirs and Assignes as af<sup>d</sup> to all Intents Constructions and purposes as if the said deed of bargain and Sale had legally Conveyed the same one thousand acres according to the discription thereof herein mentioned to the said John and his heirs and assignes to the uses afores<sup>d</sup> according to the form of the Act of Assembly of this province for quieting possessions Inrolling Conveyances and secureing the Estates of purchasers any thing in said act or any other defect in said deed or in the Survey therein mentioned to the Contrary Notwithstanding

Liber LL, 4  
Acts

p. 83

An Act for the relief of Anthony Ivy and Anne his wife (which said Anne is the daughter and Heiress at Law to Robert Smith Esq<sup>r</sup> late of Queen Ann's County deceased and the said Anthony one of the Executors of the s<sup>d</sup> Robert Smiths Testament) in Confirming the mortgage of land therein mentioned.

Acts of 1713,  
ch. 7  
p. 85

Whereas Samuell Withers late of Kent County in the province of Maryland Gentleman on or about the third day of March Anno Dom Seventeen hundred and Six granted himself his heirs Executors & Adm<sup>rs</sup> to be firmly bound unto Robert Smith of Talbot County his heirs Executors adm<sup>rs</sup> Certain attorney or Assignes in the full and Just sum of two hundred thirty two pounds of good and lawfull money of England with Condition that if in Case the said Samuel Withers his heirs Executors and adm<sup>rs</sup> should deliver unto the said Robert Smith his heirs Ex<sup>rs</sup> administrators Certain attorney or Assignes good bills of Exchange payable at London for one hundred and Sixteen pounds Sterling at twenty days sight the twentyeth day of October then next Ensueing, Secondly he did by those presents

p. 86

Liber LL, 4 for the more sure and Certain<sup>e</sup> paym<sup>t</sup> of the said s<sup>u</sup>me authorize and  
 Acts Empower the said Robert Smith to sell and dispose of his the said  
 Withers his plantat<sup>n</sup> in Chester with all the land and Stock then  
 thereunto belonging and when so done to satisfie himself out of the  
 purchase mony and to acc<sup>t</sup> for the remainder if any and did thereby  
 Oblidge himself and his heirs to allow and Confirme the Sale thereof  
 in as full large and ample manner as if he himself had done the  
 same, and thirdly for the more sure payment of the said S<sup>u</sup>me and  
 for divers good Causes and Considerations him thereunto more  
 Especially moveing, neither of the above Conditions being per-  
 formed he did thereby give grant and release unto the said Rob<sup>t</sup>  
 Smith his heirs or assigns all the whole Estate right title and  
 Interest that he then had in the said plantat<sup>n</sup> by Vertue of a deed for-  
 merly to him made by the said Robert Smith and Enrolled in Talbot  
 County records To have and to hold unto him the said Robert Smith  
 his heirs or Assignes for Ever in as full large and ample manner as  
 if the s<sup>d</sup> deed from the said Smith to him had never been Sealed nor  
 delivered together with all the Stock of Cattle Sheep and hoggs  
 that were then upon the said plantation to Enter upon take and  
 possess the same at his the said Robert Smiths will and pleasure after  
 the twentyeth day of October then next without the lett trouble or  
 denyall of the said Withers his heirs Ex<sup>ts</sup> or adm<sup>rs</sup> to the only proper  
 use and behoof of him the s<sup>d</sup> Robert Smith his heirs or Assignes  
 for Ever In witness whereof the s<sup>d</sup> Samuell Withers thereunto put  
 his hand and Seale the said third day of March in the year Sixteen  
 hundred ninety and Six af<sup>d</sup> And for that the said bond appears fair  
 without any receipts or memorandums of paym<sup>t</sup> of part of the S<sup>u</sup>me  
 therein menconed and for that it does not appear that Ever the said  
 Robert Smith made Sale of the af<sup>d</sup> land and Stock for the payment of  
 the said debt as in the second part of the Condition thereof is directed  
 and for that it appears to have been the Intent of the said Samuell by  
 the third part of the said Condition that neither of the former parts  
 being Complied w<sup>th</sup> the said land should be and remain unto the said  
 Robert Smith his heirs and Assignes as fully firmly and amply as if  
 the same had been duly mortgaged by the said Sam<sup>l</sup> Withers to the  
 said Robert Smith Esq<sup>r</sup> for the paym<sup>t</sup> of the debt in said bond men-  
 coned according to the form of the Act of Assembly for quieting  
 p. 87 possessions Enrolling Conveyances and Secureing the Estates of  
 purchasers, that it does not appear that the said Samuell Withers  
 ever disposed of or devised the said land to any other person Either  
 by deed or will but left it undisposed of that it might Continue a  
 Security for the said debt. And for that the Clauses in the Condition  
 of said bond does not amount unto a mortgage of said land to said  
 Robert for the security of the debt af<sup>d</sup> nor unto a deed of Sale thereof  
 for the paym<sup>t</sup> of the same debt according to the af<sup>d</sup> Act of Assembly  
 of this province for Quieting possessions enrolling Conveyances and  
 Secureing the Estates of purchasers, and for that the said Sam<sup>l</sup> is

dead and has not left personall Estate Sufficient to pay said debt nor hath left any person as his heir at law to represent him that may be liable to an Action on said bond within this province. Liber LL, 4  
Acts

It is therefore humbly prayed that it may be Enacted.

And be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her Maj<sup>ty</sup>s president Councill and Assembly of this province and the Authority of the same that the same land be deemed taken and adjudged to be as Effectually mortgaged by the said Sam<sup>l</sup> Withers to the said Robert Smith his heirs Execut<sup>rs</sup> and adm<sup>rs</sup> for the Security of the debt af<sup>d</sup> to all Intents and purposes whatsoever as if the same had been mortgaged to the said Robert Smith Esq<sup>r</sup> his heirs and Assignes for the debt af<sup>d</sup> by a firm deed thereof duly Executed acknowledged and recorded according to the directions of the aforementioned act, and that the said Bond by Vertue of this Act be deemed taken and reputed to be an Effectuall mortgage thereof accordingly Subject nevertheless to the allowance of any payments that shall appear to have been made in Satisfaction of the said debt and Subject also to the redemption of any that right have to redeem the same and that the same bond be in all respects deemed to be an Effectuall Mortgage as af<sup>d</sup> any law Statute usage or Custome to the Contrary notwithstanding.

#### An Act against false packing of tobacco

Forasmuch as the false and fraudulent practices used in packing tobacco in hoggsheads have not hitherto been Sufficiently provided against, the Common law not being Severe Enough in the Punishment thereof, and for that it is found by Experience of late that such frauds and falsities are more frequently Committed than heretofore they have been and that it is high time they should be prevented for the future by some Speedy remedy to be in that behalf Provided

Acts of  
Oct. 1713.  
ch. 8  
p. 88

Be it Enacted by the Queens most Excellent Maj<sup>ty</sup> by and with the advice and Consent of her Maj<sup>ty</sup>s president Councill and Assembly of this province and the authority of the same that if any person or persons havinge the possession property rule directions Overseeing or governance of any plantation or place where tobacco is or shall be made shall use any fallacious fraudulent or deceitfull means or practices to Conceal or hide any frost bitten Trashy ground Leaves or small dull Scrubbs or any Stalks Stems wood stones dirt or any other manner of trash or old decayed tobacco in the inward parts of such hoggshead when the generality of such tobacco as shall be packed in the outward parts is good sound & merchantable or that it shall be deemed or adjudged by the Court or the Jury before whome Such matter shall be tried or Called in question that such packing falls within the ancient Common received notion of what false packing has been hitherto reputed to be and any such hoggshead or Cask of tobacco pay or offer or tender to pay away on any account whatsoever that then the person

Liber LL, 4 or persons that shall pack or Cause to be packed any such Tobacco  
 Acts in such manner as a<sup>d</sup> or wittingly Suffer the same so to be shall for  
 Every hoggshead that they shall so pack or Cause or wittingly  
 Suffer to be so packt and paid or offered or tendered to be paid away  
 forfeit and pay the Quantity of one thousand pounds of good  
 sound merchantable tobacco in Cask the one half thereof to our Sover-  
 eigne Lady the Queen towards the defraying the Charge of the  
 County where such fact shall be Committed the other half to the party  
 grieved or in default of prosecution by the party grieved within three  
 months after notice of such fact Comitted to the Informer or to him  
 or them that shall sue for the same to be recovered in any Court  
 p. 89 of record within this province by action of debt bill plaint or Infor-  
 mation wherein no Essoyn protection or wager of law to be allowed.

And Whereas severall people may Complaine it will be an hard-  
 shipp upon them to throw away all their Small dull scrubby tobacco  
 and ground Leaves.

Be it Enacted by the Authority advice and Consent a<sup>d</sup> that if any  
 person or persons shall pack any such tobacco in Cask or otherwise  
 by it self without facing it with good tobacco with designe of deceit  
 & shall before Sayle or payment away of such tobacco declare to the  
 party purchaseing or receiving such tobacco the nature and quality  
 thereof they shall not Incurr the penalty before in this act Imposed on  
 such as false pack tobacco any thing in this act to the Contrary not-  
 withstanding.

Acts of An Act for relief of Josiah Crouch of Kent County in Confirming  
 Oct. 1713. a Certaine Sale of Lands from W<sup>m</sup> Crouch to him and his heirs.  
 ch. 9

Whereas Josiah Crouch of Kent County & William Crouch late of  
 Ann arundell County were Seized in fee as tennants in Common of a  
 Certain tract or parcell of land Called Hilsdon lying on the East Side  
 of Chesapeake bay next adjoyning to the land of Jonathan Coventry  
 Containing two hundred acres, And whereas on or about the Eighth  
 day of October Anno Dom Seventeen hundred and Six It was agreed  
 by and between the said W<sup>m</sup> Crouch and the said Josiah Crouch that  
 the said W<sup>m</sup> Crouch upon payment made to him by the said  
 Josiah of the sume of thirty Seven pounds Sterl should make over his  
 moyety being the one half of the said parcell of land Called Hilsdon to  
 the said Josiah his heirs or Assignes to the true performance of which  
 agreem<sup>t</sup> the said W<sup>m</sup> by his bond under his hand and Seale bearing  
 date the same eighth day of October in the year seventeen hundred  
 and six a<sup>d</sup> bound himself his heirs Execut<sup>rs</sup> and adm<sup>rs</sup> to the said  
 Josiah in the penall sume of seventy four pounds Sterling And  
 forasmuch as the said Josiah Crouch has made it plainly appear to this  
 p. 90 present Generall Assembly that he hath paid the said W<sup>m</sup> in his  
 lifetime thirty pounds sterl part of the Consid<sup>n</sup> mony of the said land  
 and that he has sufficiently Secured the payment of the residue and



is ready to pay the same upon haveing the said land made sure to him from the said W<sup>m</sup> and his heirs but that the said W<sup>m</sup> dyed before he made over or Conveyed the said land unto the s<sup>d</sup> Josiah his heirs or Assignes according to the tenn<sup>r</sup> of their agreement at<sup>d</sup> he has therefore humbly prayed that an Act may pass in his favour to Confirm unto him his heirs and Assignes the said land in as full and ample manner as if the said W<sup>m</sup> in his life time had Conveyed the same unto the said Josiah his heirs or Assignes for Ever according to the form of the Act of Assembly of this province for quieting possessions Enrolling Conveyances and Secureing the Estates of purchasers, and forasmuch as the guardian of the orphans of the s<sup>d</sup> W<sup>m</sup> Crouch upon his Examination has declared that the s<sup>d</sup> W<sup>m</sup> in his lifetime had purchased other lands more Convenient for his Children upon the western Shore of this province with the mony that he had received from the said Josiah and that it would be much to the detriment of the said orphans that the said land should not be Confirmed according to the s<sup>d</sup> Josiah's prayer but that for want therof the Estates their father has left them should be subjected to the penalty of the s<sup>d</sup> bond And for that the said Josiah has made manifest the truth of all and singular the premises, It is therefore humbly prayed that it may be Enacted

And be it Enacted by the Queens most Excellent Majesty by and with the Advice and Consent of her Maj<sup>ty</sup>s President Councill and Assembly of this province and the Authority of the same that it shall and may be lawfull for the said Josiah Crouch his heirs and Assignes at all times hereafter by Vertue of this act to have hold use Occupy Possess and Enjoy the said tract or parcell of land Called Hilsdon to the only proper use and behoof of him the said Josiah his heirs and Assigns in as full and ample manner and w<sup>th</sup> as Compleat an Estate therein to all Intents Constructions and purposes as if the said William Crouch in his life time had granted Conveyed assigned or made over his moyety or half part thereof unto the said Josiah his heirs and Assigns to the only proper use and behoof of the said Josiah Crouch his heirs and Assignes according to the tennor of the aforementioned act for quieting possessions Enrolling Conveyances and secureing the Estates of purchasers anything in the same Act or any other law Statute Usage or Custome to the Contrary notwithstanding.

An Act ascertaining what shall be allowed to grand and petit Jurors in the Provincially and County Courts of this Province and Evidences Summoned to attend the said Courts.

Acts of  
Oct. 1713,  
ch. 11  
p. 93

Be it Enacted by the Queens most Excellent majesty by and with the advice and Consent of her Maj<sup>ty</sup>s President Councill and Assembly of this province and the Authority of the Same that it shall and may be lawfull for her maj<sup>ty</sup>s Justices of the Prov<sup>l</sup> Court of this province to allow unto the Grand Jurors that shall serve in the prov<sup>l</sup>

Liber LL, 4  
Acts Court towards the defraying the Expences of the said Jurors for every Court they shall attend any Quantity of tobacco not Exceeding three thousand pounds at the discretion of such Justices to be paid out of the publick Levy of this province.

And be it also Enacted by the authority af<sup>d</sup> by and w<sup>th</sup> the advice and Consent af<sup>d</sup> that it shall and may be lawfull for the Justices of the Severall and respective County Courts of this province to allow unto the grand Jurors that shall serve in the said Severall and respective County Courts any Sume of tobacco at the discretion of the said Justices not Exceeding five hundred pounds for Each Court they shall serve to be paid out of the severall and respective County Levys.

And be it further Enacted by the authority advice and Consent af<sup>d</sup> that it shall and may be lawfull for the Justices of the prov<sup>l</sup> Court to allow unto Every petit Juror summoned to serve in the same Court the sume of thirty pounds of tobacco for Every day such Juror shall attend in Such Service to be paid them in the publick Levy besides the Sume of one hundred and twenty pounds of tobacco to be allowed Every full Juror that shall pass their verdict in any Cause to be paid by the party for whom such Verdict shall pass and allowed in the Bill of Cost as usuall. And to prevent partiality in Jurors Be it further Enacted by the Authority Advice and Consent aforesaid that no Sherriffe shall sumons any person to serve as petit Juror in any Court whatsoever where he hath knowledge such person hath any matter of fact Depending for tryall at the same Court he is Summoned to Serve in and that no person having such matter of fact depending for tryall as aforesaid shall be admitted as a Qualified Juror between Party and party dureing the sitting of such Court that such matter of fact shall be or be Expected to be tryed in.

And be it further Enacted by the Authority advice and Consent aforesaid that it shall and may be Lawfull for the Justices of the provinciall Court to allow unto Every person or persons that shall be Legally Sumoned to give their Evidence in the said Court in  
p. 94 Actions of meum and teum the sume of forty pounds of tobacco and no more for Every day they attend at such Court together with their Itinerant Charges to be allowed by the Court and paid by the person Summoning them and to be Charged in the bill of Cost And that it shall and may be Lawfull for the Justices of the Severall and respective County Courts of this province to allow unto Every person or persons that shall be sumoned to give their Evidence in the Severall and respective County Courts of this province in any Action or Controversy depending in the said Courts the sume of Thirty Pounds of Tobacco for Every day they attend as an Evidence untill such Cause shall be Ended and no more to be paid by the person Summoning them and to be Charged in the Bill or Bills of Cost And that it shall and may be Lawful for the Justices of the Provinciall Court to allow to Every Evidence Sumoned for the Queen against any Criminall

that shall be found Guilty forty pounds of Tobacco to be paid by the Publick and to Every Evidence against any person not found Guilty forty pounds of tobacco to be paid by the party Accused and Acquitted and for such Evidence in the Co<sup>ty</sup> Court as af<sup>d</sup> thirty pounds of tobacco per Day to be paid by the County or person acquitted in manner as aforesaid this Act to Continue for three years and untill the End of the first Session of Assembly that shall happen after the end of the said three years

Liber LL, 4  
Acts

An Act for the relief of Henry Acton of Prince Georges County in making valid and Effectuall a Certaine Deed of Bargaine and Sale from Gilbert Clark to John Bayne

Acts of  
Oct. 1713.  
ch. 12

Whereas Gilbert Clark of Charles County was seised in fee of a Tract or 'parcell of Land Called Aberdeen lying in Charles County Containing four hundred Twenty Eight acres which by Indenture made the twenty ninth day of October one thousand Six hundred ninety Six Between the said Gilbert Clark by the name of Gilbert Clark of Charles County in the province of Maryland of the one parte and the said John Bayne by the name of John Bayne of the said County in the Province aforesaid Gent of the other parte for and in Consideration of the full and Just sume of Ten Thousand pounds of Good Sound Merchantable Leafe tobacco in Cask to him in hand paid by said John Bayne before the Ensealing and Delivery of the said Indenture the receipt whereof the said Gilbert did thereby acknowledge Gave Granted bargained sold aliened Enfeoffed and Confirmed all that Tract or parcell of Land Called Aberdeen lying in Charles County on the South Side of the main fresh that falleth into Mattawoman Creek Containing four hundred twenty Eight acres more or Less with all and Singular its appurtenances unto the said John Bayne his heirs and Assignes forever to be had and held unto the only proper use and behoofe of him the said John Bayne his heirs and assignes forever as by the said Indenture produced to this Generall Assembly more fully and at Large appeares which said Deed Indented thô duly acknowledged before Philip Briscoe and Henry Hardy two of her Majestys Justices of Charles County on the tenth day of November Anno Domini Sixteen hundred ninety Six according to the then Laws of this province Yet by the Neglect or Ignorance of the said John Bayne was not Inrolled in the records of Charles County according to the Act of Assembly for quieting possessions Inrolling Conveyances and secureing the Estates of purchasers then in force which Land the said John Bayne by will devised to his son Walter Bayne which said Walter Bayne by Deed Indented duly acknowledged and Enrolled on or about September Anno Domini Seventeen hundred and Eight conveyed the said Land to Henry Acton of Prince Georges County for a valuable Consideration therein Mentioned but for that the aforementioned deed from Gilbert Clark to John Bayne is not Sufficent to pass the Estate therein

p. 95

Liber LL, 4  
Acts mentioned according to the purport thereof and the true Intent and meaning of the partys to the same Deed for want of its having been recorded according to the aforementioned Act for Quieting possessions without which the said Action Cannot be secure of his said purchase And for that the heirs of the said Gilbert have had due notice of the said Actons Proceedings in this behalfe and have declared their Assent thereto by their Certificate under their hands whereby they signifie that they have nothing to say to the Contrary thereof he the said Henry Acton hath Supplicated this present  
p. 96 Generall Assembly that it may be Enacted and for that all and singular the premises are sufficiently made appeare.

Be it Enacted by the Queens most Excellent Majesty by and with the advice & Consent of her Majestys President Councill & Assembly of this province and the Authority of the same that it shall and may be Lawfull for the said recited deed Indented to be Recorded in the Land Records in Charles County Court at any time within twelve months from the End of this present Session of Assembly and that the same deed with the Acknowledgement thereon when Recorded as aforesaid and Every part thereof shall be as good and valid in Law to all intents Constructions and purposes and that the said Land by vertue thereof and of this Act shall pass from the Said Gilbert Clark to the said Henry Acton his heirs and Assignes in as full and ample maner as if the said recited Deed Indented from the said Gilbert Clark to the said John Bayne had been duly recorded in the records of Charles County Court within the time Limited by the Laws then in force The want of Recording the Same Deed or any Law Statute usage or Custome to the Contrary notwithstanding.

Acts of  
Oct. 1713.  
ch. 15  
p. 99 An Act for the relief of John Coale of Charles County Carpenter.  
Whereas Phillip Lynes Esq<sup>r</sup> by his deed of bargain and Sale duly Executed bearing date the twentyeth day of August in the year of our Lord Seventeen hundred and five for the Considerations in the same deed Expressed & Contained Bargain'd and Sold unto one Michael Rochford late of Saint Maries County Cooper that parcell or tract of Land Lying in Charles County called thamesstreet Begining at a bounded white oak the North west and by north bound tree of John Robinsons Land called Wassell and running thence North west and by north twenty six perches to a bounded Spanish oak thence south west & by west two hundred and ten perches to a bounded oak thence south East and by South Seventy six perches to a bounded oak north East and by East bounding upon the said Robinsons Land to the first bounded tree Containing and Laid out for one hundred acres more or Less And alsoe all that Tract or parcell of Land Called Tower Dock Lying in the said county begining at a bounded Spanish oak the bound tree of one George Lingham running from thence north west and by north forty five perches to a bounded red oak thence East one



hundred and forty perches to a bounded red oak Standing in the Line of John Robinson's Land Called Wassell thence and till it comes to the first bound tree Containing and laid out for one hundred acres more or Less as by the same Deed Entered on the Records of Charles County Court may fully appeare which two parcells of Land the said Michael Rochford by his Last will and testament in writeing dated the first day of November Anno Domini Seventeen hundred and five among other things gave and devised to the said John Coale and whereas the said Deed Immediately after the acknowledgment thereof was by the said Michael Rochford deliverd to the Clark of Charles County Court to be Entred and Enrolled in the records of the same Court According to Law but by the said Clark omitted to be done within the time Limited by an Act of Assembly of this province for Quieting possessions Enrolling Conveyances and secureing the Estates of purchasers and that the said Lynes is Since dead and no possibility of Supplying the said Defect but by an Act of Assembly wherefore it is prayed that it may be Enacted.

Liber LL, 4  
Acts

p. 100

And be it Enacted by the Queens most Excellent Majesty by and with the advice and Consent of her Majestys President, Councill and Assembly of this province and the Authority of the same that the said recited Deed of bargain & Sale from the aforesaid Philip Lynes Esquire to the said Michael Rochford of the said two tracts of Land shall be good & valid in Law to all intents Constructions and purposes as if the same had been Recorded and Enrolled within six months after the acknowledgment thereof according to the said recited act and that the said John Coale or any person Claiming by from or under the said Philip Lynes or Michael Rockford by virtue of the said Deed shall and may forever hereafter have hold possess and Enjoy the said two tracts of Land with their and Every of their appurtenances in the same manner as is Expressed and Contained in the said Deed and the will of the said Michael and as fully and amply as if the same had been Recorded as aforesaid the said recited Act or any thing therein Contained or any other Law Statute or usage to the Contrary thereof notwithstanding

An Act for the naturalization of Stephen Rich of Queen Anns County Carpenter and his Children John Lamee of Dorchester County weaver and his Children and Samuel Berry of Kent County Carpenter.

Acts of  
Oct. 1713.  
ch. 16

Be it Enacted by the Queens most Excellent Majesty by and with the advice and Consent of her Maj<sup>ty</sup>s President Councill and Assembly of this province and the Authority of the same that Stephen Rich of Queen Anns County Carpenter borne under the Dominions of the States Generall of the united provinces John Lamee of Dorchester County weaver borne under the Dominions of the most Christian King and Samuella Berry of Kent County Carpenter borne under the Dominions of the king of Sweden and all and Every of

p. 101

Liber LL, 4      them and all their Children already borne and hereafter to be borne  
 Acts      within this province shall forever hereafter be adjudged deemed and  
          taken as true Lawfull freeborne Subjects of this province and be  
          and are hereby Enabled to purchase have hold and Enjoy any real  
          Estates of Inheritance in this province and to hold maintain and  
          Defend any action or actions real and personall in any her Majesties  
          Courts of record of this province and to have hold and Enjoy all  
          Priviledges and freedoms whatsoever as any her Majesty's naturall  
          borne Subjects of this province any Law usage or Custom to the  
          Contrary notwithstanding.

Acts of      An Act reviving an Act of Assembly of this province Entituled an  
 Oct. 1713.      Act prohibiting the importation of bread beer flower malt wheat  
 ch. 17      or other English or Indian grain or meale Horses mares Colts or  
          fillys from pensilvania and the Territories thereto belonging

Be it Enacted by the Queens most Excellent Majesty by and with  
 the advice and Consent of her Majesties President Councill and Assem-  
 bly of this province and the authority of the same that the above  
 mentioned Act Entituled an Act prohibiting the importation of bread  
 beer flower Mault wheat or other English or Indian grain or meale  
 horses Mares Colts or fillys from pensilvania and the territories  
 thereto belonging made at a Session of Assembly begun and held at  
 the City of Annapolis the twenty Sixth day of Aprill Anno Domini  
 Seventeen hundred and four be and is hereby revived and Continued  
 in full force and strength.

Provided that the said Act or any thing therein Contained shall not  
 Extend or be Construed to Extend to any horse or horses brought  
 into this province by Travellers for their own use only and not In-  
 tended for Sale nor to any person or persons that shall Remove  
 themselves into this province with their families in order to settle  
 here nor to the Commanders of any of her Majestys Shippes of warr  
 in purchaseing and Importing Bread beer flower or any manner of  
 English and Indian graine towards the Supplying their said Vessells  
 and not otherwise any thing in the aforesaid Act to the Contrary  
 Notwithstanding.

Acts of      An Act for Naturalization of Thomas Harvey of Calvert County  
 April, 1715,      and his Children  
 ch. 2  
 p. 119  
 [Other Acts      Be it Enacted by the Kings most Excellent Majesty by and with the  
 passed at      advice and Consent of his Majestys Governour Councill and Assem-  
 this Session      bly of this province and the Authority of the same that Thomas  
 are printed      Harvey of Calvert County Frenchman and his Children be, and in all  
 in Vols. 30      things Adjudged taken reputed had held and Governed as his Majes-  
 and 36 of the      tys Naturall Borne Subjects of this province and that they and  
 Archives]      Every of them by the authority af<sup>d</sup> be Enabled and Adjudged to all  
          Intents and purposes to Demand & Challenge have Hold and Enjoy

any land Tenements rents and hereditaments to which they or any of them might in any wise be Intituled to within this province as if they and Every of them had been his Majesties free and Naturall borne Subjects and Liege People thereof and also that they and Every of them be Enabled to maintain prosecute avow Justifie and defend all and all Manner of actions Suites Pleas Plaints and other demands whatsoever within province as Liberally Frankly Freely Fully Lawfully and Securely as if they and Every of them had been his Majestys Naturall born Subjects and Liege people thereof any Law Statute useage or Custom to the Contrary in any wise notwithstanding.

Liber LI., 4  
Acts

An Act repealing An Act Entituled an act for Uniting Newport hundred now part of King and Queens Parish to William and Mary Parish in Charles County and for Reuniting the same to King and Queen Parish in St Maries County

Acts of  
April, 1715,  
ch. 3

Whereas at a Session of Assembly begun and held at the town and port of Annapolis the second day of Aprill in the year of our Lord one thousand Seven hundred and six was Enacted An Act for Uniting Newport hundred part of King and Queen parish in Saint Maries County to William and Mary parish in Charles County and it haveing appeared to this present Assembly that the aforementioned act was obtained thro a false Suggestion and to the manifest Injury of the Inhabitants of King and Queens Parish in Saint Maries County af<sup>d</sup>

p. 120

Be it therefore Enacted by the Kings most Excellent Majesty by and with the advice and Consent of his Majesty's Governour Council and Assembly of this province and the Authority of the same That the above recited act Entituled an Act for Uniting Newport hundred now parte of King and Queen Parish to William and Mary Parish in Charles County and Every Article matter clause and thing therein Contained shall be and is hereby utterly repealed and made void.

And be it Further Enacted by the authority af<sup>d</sup> by and with the advice and Consent aforesaid that Newport hundred now parte of William and Mary Parish in Charles County be forever hereafter reunited to King and Queen Parish in Saint Maries County any matter Clause or thing in the afore mentioned act to the Contrary.in any wise notwithstanding

An Act to Supply Certain Defects in the Conveying of Lands from Matthew Beard to Stephen Wright and from Stephen Wright to Samuel Chambers of Ann Arundell County Gent.

Acts of  
April, 1715,  
ch. 5  
p. 123

Whereas Matthew Beard late of Ann arundell County in the province of Maryland Carpenter by his Deed of bargain & Sale bearing date the Twelfth day of November Anno Dom one thousand and

Liber LL, 4 seven hundred and eight for the Consideration of twenty five pounds  
 Acts Sterling granted and sold unto Stephen Wright of the same County  
 and province Planter and to his heirs and Assignes forever the  
 moyety or half parte of a Tract or parcell of land Called Timber  
 neck Lying in Ann arundell County on the South Side of South River  
 on the West side of a Creek Called Jaccobs Creek Beginning at a  
 marked red oake standing upon a point and running for breadth West  
 South west up the Creek one hundred and Sixty perches to a marked  
 Oak by a Marish side being a bounded tree of Richard Beards on the  
 west by Beards line drawn west and by north two hundred perches  
 to a marked pock hiccory and by a line drawn north and by East  
 from the said Pock hiccory fifty perches to a marked red oake in the  
 line of Richard Chenys land and by Chenys line East south East  
 twenty five perches to a marked white oake bounded on the North by  
 p. 124 a line drawn North north East from the said Oak one hundred  
 perches to a marked Pock hiccory and from the said Pock hiccory  
 north East and by North to a marked Oake by a Branch in the line  
 of the land laid out for Murreen Duvall and William Young on the  
 East by the said Land on the south by Jacobs Creek Containing and  
 laid out for two hundred acres more or less being formerly granted  
 to Richard Uggins and John Wheeler that is to say that moyety or  
 halfe parte of the said Tract of land Called Timber neck formerly  
 Occupied by the said John Wheeler and late in the Tenure or Occu-  
 pation of William Bateman of Ann arundell County late dēced as  
 by the same Deed duly Executed and acknowledged and now remain-  
 ing upon the land Records of Ann Arundell County in the Book  
 marked P L page four hundred and Eighty two reference being  
 thereto had may more at Large appear And whereas the said  
 Stephen Wright by his Deed of Bargaine and Sale bearing date the  
 Sixteenth day of May Anno Domini Seventeen hundred and Eleven  
 for the Consideration of Thirty five pounds Sterling granted and  
 sold the said moyety or halfe part of the Tract of land aforesaid unto  
 Samuell Chambers of the same County and Province Gentleman and  
 to his heirs and Assignes forever as by the Deed thereof duly Execu-  
 ted and acknowledged and now remaining upon the same land records  
 and in the same Book aforementioned page four hundred and Eighty  
 five reference being thereto Likewise had may more fully appeare. But  
 forasmuch as the said Stephen Wright Omitted to get his aforemen-  
 tioned Deed from Matthew Beard Recorded in time so that by the Act  
 of Assembly of this province for Quieting possessions Enrolling Con-  
 veyances and secureing the Estates of purchasers no Estate in the said  
 land was past thereby and for that the said Matthew Beard and  
 Stephen Wright are Both since deceased And for that the said  
 Samuel Chambers on finding the said first mentioned Deed not  
 recorded Omitted Recording the said Deed from Wright to himself  
 well knowing the Recording the said Deed would avail him nothing  
 unless he Could procure a Confirmation of the aforementioned first



Deed so that Neither of the said Deeds were recorded within the Express time Limited by the act af<sup>d</sup> Whereupon the said Samuel Chambers being otherwise Remediless has petitioned this present Generall Assembly for relief in this Behalfe and for that the Truth of the premises is Sufficiently made appeare and that the Considerations of the said respective Sales have been duly paid and that the Petitioners case most properly requires an Equitable reliefe by an Act to be past in his favour. It is therefore humbly praid that it may be Enacted.

Liber LL, 4  
Acts  
p. 125

And be it Enacted by the Kings most Excellent Majesty by and with the advice and Consent of his Majestys Governour Councill and Assembly of this province and the Authority of the same that the same Deeds and the aforementioned Records thereof shall bee Deemed had and held as Effectuall in Law to all Intents Constructions and purposes whatsoever as if the same Deeds had been Duly recorded according to the Directions of the aforesaid Act for Quieting possessions Enrolling Conveyances and Secureing the Estates of purchasers anything in the same act or any other Law Statute or Usage to the Contrary thereof in any wise notwithstanding Saveing to our Sovereigne Lord the King his heirs and Successors and all bodyes politick & Corporate & all others not mentioned in this act their severall & respective rights.

An Act to Supply an omission in the writeing the last will and Testament of of Raphael Haywood late of Saint Marys County Gentleman deceased and for Setling and Estate of Inheritance in fee Simple on Robert Scott Clerk and Charles Neale planter the Exect<sup>rs</sup> and Devises in the said will named.

Acts of  
April, 1715.  
ch. 6

Whereas Raphael Haywood late of Saint Maries County Gentleman made his last will and Testament in writeing and duly proved bearing date the Twenty second day of July in the year of our Lord one thousand seven hundred and thirteen and therein and thereby did Give and bequeath to Robert Scott Clerk and Charles Neale planter all the houses Lands goods and Chattles which he stood Invested with at the Time of his decease to be Equally divided between them whom he also appointed his whole and sole Executors and whereas the said Raphael Haywood died Seized in fee simple in two hundred and Fifty acres of land being the moiety of a Certain tract of land formerly Survey'd for John Boague of this Province Called Fanskirk lying scituate and being in Saint Mary's County af<sup>d</sup> And Forasmuch as through Inadvertency and precipitant hast in penning the said will (and Contrary to the Intent of the Testator) only an Estate for life is thereby given and bequeathed to the said Robert Scot and Charles Neale. And it appearing to this Present Generall Assembly that the Intent and designe of the said Raphael Heywood was to give and bequeath an Estate of Inheritance in Fee Simple to the said Devises.

p. 126

Liber LL, 4      It is therefore prayed that it may be Enacted, And be it Enacted  
 Acts      by the Kings most Excellent Majesty by and with the Advice and  
 Consent of his Majestys Governour Councill and Assembly of this  
 province and the Authority of the same that the said Robert Scott  
 Clerk and Charles Neale planter by Vertue of the said will and  
 of this act have hold possess and Enjoy to them and their heirs for-  
 ever a good sure & absolute Estate of Inheritance in fee Simple of in  
 and to the af<sup>d</sup> two hundred and fifty acres of land the moyety  
 of the said tract Called Fanskirk to them in Generall Termes given  
 and bequeathed by the said will any omision mistake or Deficiency  
 in the said will or any Law Statute useage or Custome in any wise  
 to the Contrary thereof Notwithstanding Saveing the Right of our  
 Sovereigne Lord the King his heirs and Successors and of all bodys  
 politick and Corporate

Acts of      An Act Impowering a Committee to Lay assess and apportion the  
 April, 1715,      publick Levy for this present Year Seventeen hundred and  
 ch. 13      fifteen.  
 p. 134

Whereas this present Generall Assembly have for the defraying  
 the publick Charges of this province to the twenty Eight day of May  
 one thousand seven hundred and fifteen raised a Certaine Sume of  
 Tobacco and money amounting to the sume of three hundred Sixty  
 Eight thousand two hundred and Sixty pounds of Tobacco and one  
 hundred ninety Six pounds Nine shillings and four pence half penny  
 Currant money but by reason more Publick Charges may arise and  
 grow due before the usuall and accustomed time of payment which  
 is the tenth day of October Yearly at which Time again to Call and  
 Convene the whole Assembly for that occasion only Considering the  
 great number of them and the remoteness of their habitations from  
 the place appointed would be very Chargeable and Troublesome to the  
 whole province in Generall for prevention whereof Be it Enacted  
 by the kings most Excellent Majesty by and with the advice and Con-  
 sent of his Majesty's Governour Councill and Assembly of this  
 pvince and the Authority of the same that Colonel Edward Lloyd  
 Lieutenant Colonel Samuel Young Colonel Thomas Addison and  
 Philemon Lloyd Esq<sup>r</sup> of the honourable Councill and Robert Ungle  
 Esquire Cap<sup>t</sup> Thomas Truman Greenfield Captain James Harris  
 Captain Daniell Mariartee Captain Thomas Dent Master Thomas  
 p. 135 Deshield Major Roger Woolford Colonel John Mackall Major James  
 Phillips Major John Ward Robert Tylor and Soloman Clayton  
 Gentleman of the house of Delegates or the Major parte of them be  
 and appear at the City of Annapolis on the twenty Seventh day of  
 September next then and there to Lay and Assess the said publick  
 Levy already raised and also to Allow Levy and Assess what fur-  
 ther Charge may accrue which to them shall Justly appear to be due  
 from the Publick not Exceeding three hundred thousand pounds of

tobacco and three hundred and fifty pounds Sterling and Six hundred and Fifty pounds Currant money more then what is already raised and Likewise to apportion order and pay out of the publick Treasury of this pvince the sume of one hundred ninety Six pounds nine shillings and four pence half penny Currant money of this pvince to the severall Persons to whome the same shall be due as by the Journall of the Committee of Accounts appears and a fair Journall of all their proceedings to be delivered to the Clerk of the Assembly for Satisfactions of all persons therew<sup>th</sup> Concerned by the twentyeth day of October next

Liber LL,  
Acts

And if it shall happen that his Exe<sup>lley</sup> shall please to Convene an Assembly before the said twenty Seventh day of September af<sup>d</sup> then this present Act and all and Every Clause therein Contained shall be void and of no force.

An Act for the relief of Peter Sawell a Languishing Prisoner in Calvert County

Acts of  
April, 1715,  
ch. 20  
p. 148

Whereas Peter Sawell of Calvert County planter has by his humble petition to this Present Generall Assembly set fourth that he has Continued a Prisoner for debt in the Custody of the Sherriffe of Calvert County for above three Years past and still Continues in the Like deplorable Circumstances not being able to Redeem his body with all the Estate or Interest he has in the world which he would readily Surrender up and part with to his Creditors if they would accept of the same and grant him his Liberty but that although he hath often made such offers with many repeated Intreaties that they might be Accepted of Yet he has not yet been favoured with the grant of his Requests in that behalfe but Instead thereof Flat denyals of any manner of favour from the Chiefest of them so that unless some relief be provided for him by a particular Act to be past in his favour which by his said Petition he hath Humbly Prayed for he fears he shall Continue a Prisoner for life and by that means his wife and four small Children become a burthen to the County for necessary Sustenance to preserve them from Starving and for that the Truth of the said Peter Sawell's Allegations is made appear to this Generall Assembly by sufficient Testimony and also that the said Peter has not fallen under such Circumstances by any Idleness or Extravagancy of his owne haveing been Allways an Industrious pains taking Planter but merely by his Lossess at Sea and the Ex-  
stream decay of the Tobacco Trade and also that the said Peter is a man of an honest sober Conversation And therefore for that the said Peter and his family are thought fitt objects of Charity, and that his Lying in Goale Can be no benefitt to his Creditors tho it may prove a ruin to his family and a burthen to the County It is humbly prayed that the said Peter may be releived according to his prayer and that it may be Enacted

p. 149

Liber LL, 4  
Acts And be it Enacted by the Kings most Excellent Majesty by and with the Advice and Consent of his Majestys Governour Council and Assembly of this pvince and the Authority of the same that unless all or any of the Creditors of the said Peter Sawell or their Att<sup>y</sup> or Attornys within this pvince within three months after the End of this Sessions of Assembly go to the Sherriffe of Calvert County and Give good Security to pay the Imprisonment Fees at tenn pounds of  
p. 150 Tobacco per day that shall or may become due from the said Peter Sawell after the End of the said three months and also to find the said Peter Sawell Sufficient meat drink and Cloathing dureing his future Imprisonment In case the said Peter Sawell shall Deliver up and Surrender or Cause to be Delivered up and Surrendred to the Sherriffe of Calvert County in the presence of two Justices of the peace in the said County whome the said Sherriff is hereby required to Summons on the Request of the said Peter at the said Peters now Dwelling Plantation at some Convenient Tyme betwixt the tenth day of June and the tenth day of August next all his real and Personal Estate Either in possession Reversion remainder or in Trust or In or unto Which he hath any Claim or Interest whatsoever and do Likewise betwix the days aforementioned Convey Assigne Transfer and make over unto the said sherriffe of Calvert County for the use of his the said Peters Creditors all such his Estate Interest or Claime as af<sup>d</sup> after such manner as by the said Sherriffe and the Major part of the Creditors of the said Peter [or] such of them as shall think fit to direct therein or his or their Council Learned in the Law shall reasonably devise or require at the Cost and Charges of such persons as shall Claime the benefit thereof so as the said Peter Sawell be not burthened with any warrantees thereby other than from himselfe and those that Claime by from or under him and that the said Peter at the tyme of such his Surrender and Transferring of his Estate as af<sup>d</sup> shall Take his solemn Oath or Test before the said two Justices so to be summoned as af<sup>d</sup> to the Effect following Videlicet

I Peter Sawell do solemnly Swear that the goods debts and Effects which I have delivered Assigned and made over to the sherriffe of Calvert County and Intrust for the use of my Creditors is the whole Estate both real and personall of my owne in possession or have any Title to in the world and that I have not any Estate goods or Effects of any kind whatsoever Left Either in Possession Reversion or remainder the necessary wearing Apparell for myselfe wife & Children Excepted and that I have not Directly or Indirectly sold Leased or otherwise Conveyed disposed of or Intrusted all or any  
p. 151 parte of my Estate thereby to Secure the same to receive or Expect any proffitt or Advantage thereof So help me God. It shall and may be Lawfull for the Sherriffe of Calvert County after the End of the said three months And the said sherriffe is hereby Required to



Discharge the s<sup>d</sup> Peter Sawell out of Custody and to suffer him to go at Large And be it Further Enacted by the Authority afores<sup>d</sup> by and with the Advice and Consent aforesaid that upon the said Peter Sawells Complying with what is required of him by this Act that he the said Peter his heirs Executors or Administors shall be by Virtue of this Act acquitted Exonerated Released and Discharged of and from all manner of debts duties Claimes and Demands whatsoever that have been Contracted by him or have arose due or become demandable from him at any Time before the sitting of this present Generall Assembly and that in Case the said Peter Shall after such his Compliance and Discharge as aforesaid be againe Arrested or sued for any such his debts or duties as af<sup>d</sup> or that the said Sherriffe shall be sued for any matter or thing required of him to be done by this act that then the said Peter Sawell or the said Sherriffe may Enter a Common appearance without Special Bayle to any such Action as shall be so brought against them or Either of them and plead thereto the generall Issue and give this act or the Exemplification thereof with the Speciall matter thereon arising in Evidence and that in Case the Plantiffe shall be non suited in such Action the defendant shall recover against him Double Costs of Suite any Law Statute Usage or Custome to the Contrary notwithstanding And be it further Enacted by the same Authority Advice and Consent aforesaid that the sherriffe of the same county of Calvert af<sup>d</sup> shall after such Surrender and Delivering up as aforesaid give publick notice at the Churches Court house and mills in the said County of some precise tyme by him the said Sherriffe and the said two Justices to be appointed for the distribution of the said Peters Effectts and Estate not Less than twenty days after the Tyme of the makeing the said Surrender and shall then and there in the presence of two such Justices as af<sup>d</sup> and by their Advice and Directions make Distribution of the said Peters Estate as aforesaid to be Surrendred delivered up or Transferred amongst such of the said Peters Creditors onely as shall then by themselves or their Lawfull Att<sup>ny</sup> or Att<sup>ny</sup>s think fitt to be present at such distribution by an Equall and proportionable distribution thereof to Every such Creditor with Respect had and in proportion to the Largeness of his or her Debt the pceedings of the said Justices and Sherriffe in that behalfe to be Certified to the said Calvert County Court and there lodged for the perusal of any the said Peters Creditors that shall require the same without any Fee to be paid for the same or for such Lodging thereof Saving the Rights of his most sacred Majesty his heirs and Successors of all bodys politique and Corporate provided nevertheless that in Case the said Peter shall be at any tyme after the makeing such his oath or Takeing such test af<sup>d</sup> Convict of will full and Corrupt perjury thereupon or of a willfull breach or non Compliance with the Tennour of such Test that then the said Peter shall upon such

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Acts

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Acts Conviction be adjudged to Stand two hours in the Pillory and have his Left Ear cut of and shall be wholly deprived of any the Benefitts designed him by this Law and shall be from thenceforth Liable to be prosecuted for any debts or demands whatsoever in the same manner as if this Act had never been made any thing therein Contained to the Contrary notwithstanding

Acts of  
April, 1715,  
ch. 21

An Act for Relief of Ezekiel Parr of Cecil County

Whereas Ezekiel Parr late of Liverpool in the Kingdom of great Brittain Merchant but now of Cecill County in the province of Maryland hath by humble Petition to this Present Generall Assembly amongst other things set forth that he hath Suffered and had many Great Losses both by Sea and Land In so much that he hath been thereby rendered Incapable of Satisfying his Just debts for some of which he has been sued by his Creditors and hath laine in prison near four years and still remains in the Custody of the same Sherriffe of the Same County of Cecil for such Large Sumes as that all he hath or hath right to in the world will not make Satisfaction for and Further that the said Ezekials debts wherein he stands Justly Engaged to his Creditors amount to about Five hundred and twenty pounds in mony and that all the Estate Effects or Interest that he hath in the world does not Exceed the Value of Fifteen pounds in mony that he has made frequent Application to his Creditors that they would take all that he had at present in part of what he owed amongst them and grant him his Liberty that he might have the better Oppertunity of getting wherewith to pay them and of providing for his wife and three small Children who must otherwise Inevitably fall upon the Charity of that County or undertake the Extreame pressures of want But that thô some of his Creditors have been willing to relieve him and have Certified the same to this present Generall Assembly Others have refused so that unless relieved by an Act to be made in his favour he must necessarily Continue a prisoner whilst his wife and Children undergo all the Misfortunes of a Ruined family that the said Ezekiell desires not a Discharge from his debts but only his Liberty to Enable himselfe to pay them and thereupon the said Ezekiell prayed Reliefe and for that the truth of the said Ezekiells Allegations and pretentions is made Evident to this psent Generall Assembly by Sufficient Testimony worthy of Credit and that his prayer seems reasonable and rather (if granted) Likely to be a benefitt than a prejudice to his Creditors It is therefore humbly prayd that it may be Enacted and Be it Enacted by the kings most Excellent Majestye by and with the advice and Consent of his majesties Governour Councill and Assembly of this province and the

p. 153 Authority of the same that unless all or any of the Creditors of the said Ezekiel Parr or their Attorneys shall within three months after the End of this Session of Assembly go to the sherriffe of Cecil

County and give good Security to pay the Imprisonment Fees att ten pounds of tobacco per day that shall or may become due from the said Ezekiel Parr after the End of three months and also to find the said Ezekiel Parr Sufficient Meat Drink and Cloathing dureing his future Imprisonment it shall and may be Lawfull for the said Sherriffe forthwith to Suffer the said Ezekiell Parr to goe att Large and release him from his prison af<sup>d</sup> and the said Sherriffe by Vertue of this Act shall upon the Generall Issue to be pleaded and the Speciall matter and this Act to be given in Evidence Justifie or acquit himselfe of or in any Action or Actions that shall or may be brought against him by meanes or occasion of his Suffering the said Ezekiel to goe att Large according to the directions of this Act and in Case any person that shall sue the said Sherriffe for anything by him don or to be don according to the directions of this Act shall have Verdict go against him and Judgment thereon or any wise faile in prosecution of his suite the said sherriffe shall recover against such Plantiffe such Costs of Suite

Liber LL. 4  
Acts

And Be it further Enacted that it shall not be Lawfull for any person or persons whatsoever to Imprison or Execute the body of the said Ezekiell Parr for any Debt damages or demand whatsoever that hath arisen due from the said Ezekiel at any time before the makeing this present act untill the Expiration of five yeares from the end of this present Session on pain of Answering Damages for the same in any action or actions for false Imprisonment Provided nevertheless that nothing in this Act shall Extend or be Construed to Extend to the Releaseing or Extinguishing any Debt damages or demand for which the s<sup>d</sup> Ezekiell is now in Prison or hath arisen due as af<sup>d</sup> nor to the hindrance of any Creditor of the said Ezekiell from proceeding against or Executeing his goods or Chattells Lands or Tene-ments nor from bringing any action or actions against him in Order thereto within the Terme aforesaid soe that his body be not thereby Imprisoned but that in Case of any arrest for any the matters aforesaid he shall be Imediately discharged from such arrest on Entering a Comon appearance any Law Statute or Usage to the Contrary notwithstanding savinge the Right of our Sovereign Lord the King his heirs and successors and of all body's Politique and Corporate

p. 155

An Act for the makeing good and valid a Certaine Indenture or Deed of Bargaine and Sale from William Lunn late of Ann Arundell County dēcd to Thomas Larkin Gent.

Acts of  
April, 1715,  
ch. 35  
p. 194

Whereas Thomas Larkin of Ann arundell County Gent. has Petitioned this present Generall Assembly that an Act may pass for the Confirming a Certaine Deed of Bargaine and Sale which followes in these words Viz. This Indenture made the seventh day of Decemb<sup>r</sup> Anno Dom One Thousand seven hundred and ten Between William Lunn of Ann arundell County in the pvince of Maryland Carpenter of the one parte and Thomas Larkin of the same County and pvince

Liber LL, 4 of the other parte Wittneseth that the said William Lunn for and  
 Acts in Consideration of the Sume of thirty pounds Sterling mony to him  
 in hand already paid by the said Thomas Larkin the receipt whereof  
 he the said William Lunn doth hereby acknowledge and himselfe  
 therewith to be fully Contented and paid hath Given Granted Aliened  
 bargained sold Enfeoffed and Confirmed and by these p'sents doth  
 Give Grant alien bargain Sell Enffeooffe and Confirme unto the said  
 Thomas Larkin his heirs and Assignes forever All that parcell of  
 land which he the said William Lunn had made over to him by Benjamin  
 Williams John Cheny and Mary his wife as by their Deed of  
 Conveyance may appeare It being part of a tract of Land Called  
 Waterford Lying in Ann Arundell County aforesaid and Beginning  
 at a bounded Beech tree standing on the side of a Bank on the South  
 Side of green branch at the mouth of the said Branch upon Patuxent  
 River Side and runing from thence East and by South one hundred  
 perches to a bounded Red oake thence South East one hundred  
 and Sixty perches to bounded white oake thence west and by North  
 Eighty perches to another bounded beech on the river side thence  
 binding with the River to the first bounded tree Containing one  
 hundred acres of land more or less together with all Rights p'fits  
 benefitts and preveliges thereunto belonging unto him the said  
 p. 195 Thomas Larkin his heirs and Assignes forever and to and for the  
 only proper use and behoofe of him the said Thomas Larkin his heirs  
 and Assignes forever more and the said William Lunn Doth for  
 himselfe his heirs Executors and Adm<sup>rs</sup> Covenant promise grant  
 and agree to and with the said Thomas Larkin his heirs and As-  
 signes that he the said William Lunn his heirs Ex<sup>rs</sup> and Adm<sup>rs</sup> shall  
 and will from time to time and at all times hereafter acquitt Ex-  
 onorate and Discharge or otherwise Save and keep harmless as well  
 the said Thomas Larkin his heirs and Assignes as also the one hun-  
 dred acres of land and p'mises with all other the appurtenances before  
 mentioned hereby bargained and sold or Intended to be hereby Con-  
 veyed as aforesaid with all and Singular the p'mises with their  
 appurtenances and Every part and parcell thereof Clear and free of &  
 from all Bargaines Sales Joyntures Dowers and all other Incum-  
 brances whatsoever had made or done at any Time before the En-  
 sealing and Delivery of these p'sents by him the said William Lunn  
 or any other p'son or p'sons whatsoever and alsoe the said William  
 Lunn his heirs and Assignes and Every of them shall & will from  
 time to time when thereunto required make do acknowledge Suffer  
 & Execute or cause to be made done Acknowledged suffered and  
 Executed all and every such Further act & acts thing & things assure-  
 ance & Assurances in the Law whatsoever as by the said Thomas  
 Larkin his heirs and Assignes or his or their Councill Learned in the  
 Law shall be reasonably Devised advised or required for the Further  
 and better Assurance and Sure making of all and Singular the  
 said land and p'mises before mentioned unto him the s<sup>d</sup> Thomas



Larkin his heirs and Assignes forever and that the said Thomas Larkin his heirs and Assignes shall and may forever peaceably and Quietly have hold use Occupy possess and Enjoy all the said one hundred acres of Land and premises without any let suit Trouble or disturbance of any pson or psons whatsoever and Also that he the said William Lunn his heirs and Assignes shall and will at all times hereafter warrant and defend the said Land and p'mises unto him the said Thomas Larkin his heirs and Assignes forever against all persons whatsoever In Wittness whereof the party first to these presents hath put his hand and Seale the day and year first above Written William Lunn [Seale] On the Back of which Indenture was Endorst as follows Viz. Signed Sealed and Delivered in the p'sence of us Richard Jones Jun<sup>r</sup> John Giles. Memorandum that on the day and Year within written Came the within named William Lunn party to these presents before us the Subscribers two of her Majesty's Justices of Ann Arundell County and Acknowledged the within Land and p'mises to be the Right of the within named Thomas Larkin his heirs and Assignes forever as also Abigall the wife of the said William acknowledged her right of Dower being Examined according to Law Richard Jones Jun<sup>r</sup> And Forasmuch as it is made appear that the Consideration or purchase mony of the Land in the said Deed mentioned to be sold has been really and bonafide paid and that it was the full Intent of the therein mentioned Grantor that the Land therein mentioned should be Confirmed to the said Thomas Larkin his heirs and Assignes according to the tenor of the said Deed and that the want of an Opportunity of getting the same acknowledged before two Justices was the only Cause of the said Thomas Larkins Delaying to get the Same deed Recorded in Expectation of getting the said William Lunn to acknowledge the Same a new in his Life time but for that the s<sup>d</sup> William Lun is now dead it is humbly prayed that it may be Enacted And be it Enacted by the Kings most Excellent Majesty by and with the advice and Consent of his Majesties Governour Councill and Assembly of this pvince and the Authority of the same that the said Deed shall be Deemed had & held as Effectuall in Law to all Intents Constructions and purposes whatsoever as if the same deed had been duly acknowledged & Recorded according to the Directions of an Act of Assembly of this pvince Entitled an Act for Quieting possessions Inrolling Conveyances and securing the Estates of Purchasors any thing in the said last mentioned act or any other Law Statute or usage to the Contrary notwithstanding Provided that the said Thomas Larkin his heirs or Assignes shall procure the same deed or this Act to be recorded in the land records of Ann Arundell County and pay the Alienation fine of the said Land within three months after the End of this present Session of Assembly Saveing to our Sovereign Lord the king his heirs and Successors and all bodves Politick and Corporate and all others not mencōned in this Act their Severall and respective Rights.

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Acts

p. 196

Liber LL. 4 An Act for confirming and making Valid in law a Conveyance of  
 Acts land made by Anthony Ivy & Ann his Wife lately deceased to  
 Acts of Richard Moore and Edith his wife of Queen Anne's County.  
 July, 1716.  
 ch. 4  
 p. 291  
 [Other Acts  
 passed at  
 this Session  
 are printed  
 in Vols. 30  
 and 36 of the  
 Archives]

Whereas It has been made appeare to this present Generall Assembly that Robert Smith Esq<sup>r</sup> late of Queen Ann's County deceased in his Life time for the Quantity of one thousand pounds of tobacco to him in hand paid by the said Richard Moore and Edith his Wife did treat with and Agree to sell unto them the said Richard Moore and Edith his Wife two hundred and twenty acres of land being parte of two Severall tracts of land the one Called Smiths forrest and the other Called Confusion Lying or supposed to Lye in Queen Anns County af<sup>d</sup> and that before the said Robert Smith had Conveyed the same (or had a Title so to doe) unto them the said Richard Moore and Edith his Wife pursuant to the treaty and Agreement aforesaid he the said Robert Smith dyed and that afterwards Viz. the 22<sup>d</sup> day of August in the year of our Lord 1710 Anthony Ivy of Queen Annes County aforesaid Gent lately decēd and Anne his Wife the Daughter and heiress att Law of the said Robert Smith Esq<sup>r</sup> in pursuance of and Compliance with the said treaty and agreement by their deed Indented of bargain & Sale bearing date the day and Year aforesaid and by them duly Executed acknowledged and recorded in the records of Queen Anne's County for the Consideration of a Thousand pounds of tobacco in the said deed mentioned Did Convey unto them the said Richard Moore and Edith his Wife the said two hundred and twenty acres of Land which deed followes in these Words Viz.

Maryland ss. This Indenture made the Twenty Second day of August in the year of our Lord one thousand Seven hundred and tenn Between Anthony Ivy and Anne his Wife of the one parte & Richard Moore and Edith his Wife of the other parte all of Queen Anne's County of the other parte Wittnesseeth that the said Anthony Ivy and Anne his Wife for and in Consideration of the Summe of one thousand pounds of tobacco to them in hand paid att and before the Ensealeing & Delivery of these presents by them the said Richard Moore and Edith his Wife wherewith the said Anthony Ivy and Anne his Wife doe Acknowledge thmselves to be therewith fully Satisfied Contented and paid & of Every parte and parcell thereof doe Clearly Acquitt and Discharge the said Richard Moore and Edith his Wife their heirs Executors and Administrators forever by these presents have given granted Bargained and Sold by these presents doe give Grant bargain and Sell Enfeoffe and Confirme unto them the said Richard Moore and Edith his Wife their heirs and Assignes All that parcell of Land Lying in said County being parte of a tract of Land Called Smith's Forrest and parte of a tract of Land Called Confusion and now or late in the Tenure and Occupation of them the said Anthony Ivy & Anne his Wife their Assignee or Assignees and all gar-

dens Orchards Buildings fences and other hereditaments to the same belonging or appurtenant all which said parcell of Land and Appurtenances are lying Scituate and being in said Queen Annes County Beginning at a bounded Red oak Standing in the South west and by west line of a parcell of Land formerly sold to John Davies and the first bounded tree of the land of John Davies Junior Running thence with the said Davies's land south one hundred Sixty and four perches then East by south fifty six perches to the End of the North by East line of Mirax's land then East by south with his Land one hundred perches to the land of Nathaniel Wright Called Tully's reserve then North with that Land to the branch then downe with the branch to the End of South East line of the land of Thomas Davies then South west and by West with that Land to the first Tree Containing by Estimation two hundred and twenty acres of Land and the reversion & reversions Remainder and remainders of all and Singular the before hereby granted premises with their Appurtenances and all rent or rents reserved upon any Grant or Grants Demise or Demises made of the premises or of any parte or parcell thereof And alsoe All the Estate right Title Interest Claime and Demand whatsoever of them the said Anthony Ivy and Anne his Wife in or to the same and all Deeds and Writeings whatsoever touching and Concerning the premises or any parte or parcell thereof To have and to hold the said parcell of land & premises hereby granted bargained and sold or Intended to be hereby bargained and sold with Every of their rights members and Appurtenances whatsoever unto them the said Richard Moore and Edith his Wife and to the only proper use and Behoofe of them the said Richard Moore and Edith his Wife their heirs and Assignes forever And the said Anthony Ivy and Anne his Wife for themselves their heires &c<sup>a</sup> doe Agree to and with the said Richard Moore and Edith his Wife their heirs And Assignes that them the said Anthony Ivy and Anne his Wife their heirs &c<sup>a</sup> the aforesaid parcell of land and premises with their Appurtenances unto them the said Richard Moore and Edith his wife their heirs and Assignes against them the said Anthony Ivy and Anne his Wife their heirs &c<sup>a</sup> & all and Every other person or persons whatsoever shall and will Warrant and for ever Defend by these presents and the said Anthony Ivy and Anne his Wife at the time of the Ensealeing and Delivery of these presents are and untill and have a good and Absolute an Estate of Inheritance of all and Singular the before granted premises and that Every parte and parcell thereof shall be fully Vested and Settled in and upon them the said Richard Moore and Edith his Wife their heirs and Assignes and according to the true Intent and meaning of these presents shall remain Continue and be Seized of and in the said parcell of Land and Premises and by these presents bargained and Sold with Every of their Appurtenances of a good and absolute an Estate of Inheritance in fee simple without any Condition reversion Remainder or Limitation of any use or uses Estate or Estates

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Liber LL, 4 in or to any person or persons whatsoever to alter Change or make  
 Acts Voyd the same & that the said Anthony Ivy and Anne his Wife have  
 full power good Right and Lawfull Authority to sell and Convey  
 all and Singular the before hereby granted premises with their Appurtenances unto them the said Richard Moore and Edith his Wife their heirs and Assignes And that them the said Richard Moore and Edith his Wife their heirs and Assignes shall and may by force and Vertue of these presents from time to time and att all times forever hereafter Lawfully and peaceably have hold use possess occupy and Enjoy the said parcell of Land and premises with their Appurtenances and have and take the rents and proffitts thereof to their own proper use and behoof forever without any Lawfull lett trouble Denyall Disturbance or Interruption of them the said Anthony Ivy & Anne his Wife or any other person or persons whatsoever and that free and Clear and freely and Clearly acquitted and Discharged and at all times forever hereafter Saved and kept Harmless by the said Anthony Ivy and Anne his Wife their heirs &c<sup>a</sup> from all manner of former and other Gifts grants bargaines Sales Leases mortgages Jointures Dowers Title of Dowers Entailes Rents and Arrearages of rents and from all and Singular other Titles & Incumbrances whatsoever had made or done by him the said Anthony Ivy and Anne his Wife their heirs &c<sup>a</sup> or any other person or persons Whatsoever the Rents and Services which from henceforth from time to time in respect of the premises shall grow due and payable unto the Chief Lord or Lords of the fee or fees of the premises only Excepted and foreprized And Lastly it is Covenanted and Agreed upon by and between the parties to these presents that all fines feofments recoveries Conveyances and Assureances in the Law whatsoever had made or done by the parties to these presents touching or Concerning the premises or any parte or parcell thereof shall be Deemed and taken to be & Inure to the only proper use and Behoofe of them the said  
 p. 294 Rich<sup>d</sup> Moore and Edith his Wife their heirs and Assignes forever and to no other Intent or purpose In Wittness Whereof the parties above named have herein to sett their hands and Seales the day and Year first above Written Anthony Ivy Ann Ivy Sealed and Delivered in the presence of W Sweatnam Nath<sup>l</sup> Wright On the back of which said recited Deed is thus Endorsed Viz. Queen Anne's County ss to August twenty third Seventeen hundred and ten. Then Came into open Court the within named Anthony Ivy and Anne his Wife (she being first Examined according to Law, and did acknowledge the within Deed and the land and premises therein mentioned unto the Within named Richard Moore his heirs and Assignes forever. Evan Thomas Clk.

And whereas also It appears that Neither the said Robert Smith Esq<sup>r</sup> in his Lifetime or the said Anthony and Anne his Wife at the time of makeing and Executeing the said deed had any Right or Title to the said land the same being Vacant and never taken up And



whereas the said Anthony Ivy in his life time afterwards Viz. the twenty second day of September Seventeen hundred and thirteen obtained the Letters patent of the Right Honourable the Lord Baltimore lately Deceased for A Tract of Land Called Confusion for the Considerations and Suggestions in the said Patent mentioned and sett fourth which Letters patent, are recorded in the Secretary's office in the province of Maryland in the Book P. LI N<sup>o</sup>. 3 f<sup>o</sup>. 513 that thereby he the said Anthony Ivy may be Enabled to Convey the same pursuant to the Agreement made between the said Robert Smith in his life time and the said Richard Moore and Edith his Wife to them the said Richard Moore and Edith his Wife and their Heirs And Forasmuch as it also Appears to this present Generall Assembly that the said Anthony Ivy is since deceased having never made any Conveyance of the said two hundred and Twenty Acres of land after his Obtaining the said letters Patent to the said Richard Moore and Edith his Wife and that Robert Ivy the son and heir of the said Anthony Ivy is now under age and under the tuition and Guardianship of Renatus Smith of Queen Anne's County Gent. his Uncle and thereby Incapable to Convey the said Lands to the said Richard Moore and Edith his wife pursuant to the true Intent and meaning of his said Father Anthony Ivy. And whereas the said Renatus Smith on his Behalfe Confessed the matters and things aforesaid to be true before this Generall Assembly therefore the said Richard Moore and Edith his Wife have humbly prayed that they and their heirs by An act of this Assembly of this province to be made and by Vertue of the said Deed so Executed by the said Anthony and Anne his Wife in their Life times may have the said Land Confirmed to them and their heirs according to the true Intent & meaning of the said Deed as fully and Effectually in Law to all Intents and purposes as if the said Deed had been Executed by the said Anthony and Anne his Wife after the said Letters patent were granted they paying to the Right Hon<sup>ble</sup> the present Lord Prop<sup>ry</sup> the Alienation fine within the Space of Six months after the End of this Session of Assembly

Liber LL, 4  
Acts

p. 295

Be it therefore Enacted by the Right Hon<sup>ble</sup> the Lord Prop<sup>ry</sup> by and with the Advice and Consent of his Lordship's Governour and the upper and Lower Houses of this Present Generall Assembly and the Authority of the same that the said Richard Moore and Edith his wife their heirs and Assignes forever shall and may by Vertue of the said Deed and this present Act have hold and forever Enjoy according to the true Intent and meaning of the said recited Deed and the aforesaid two hundred and twenty Acres of Land parte of the said two Severall Tracts of Land Called Smiths Forrest and Confusion as fully and Amply to all Intents and purposes whatsoever as if the said Deed had been Executed Recorded and Acknowledged after the said Letters Patent were granted to the said Anthony Ivy and according to the Exigence of the Law any Law Statute or usage to the Contrary Notwithstanding.

Liber LL, 4 An Act for Laying the Additionall Duty of four pounds Currant  
 Acts money ꝓ poll on all Irish Servants to prevent the Importing two  
 July, 1716, great a Number of Irish papists into this Province and four  
 ch. 6 pounds Currant money ꝓ poll an Addition Duty on all Negroes  
 p. 300 for raising a Supply Towards Defraying the publick Charge of  
 this province

Be it Enacted by the Right Honourable the Lord Proprietary by  
 and with the Advice and Consent of his Lordships Governour and the  
 upper and Lower houses of Assembly and the Authority of the same  
 that from and after the End of twelve months after the End of this  
 Generall Assembly all Masters of Ships and Vessell or others Im-  
 porting Irish Servants into this province by land or by water at the  
 time of their Entry shall pay unto the Navall Officer for the time  
 being belonging to such port or place where they make their Entry  
 the Additionall Sume of four pounds Currant money over and  
 Above the Twenty Shillings Sterling per Poll Imposed by a former  
 act of Assembly of this province for Every Irish Servant so Im-  
 ported on penalty and forfeiture of twenty pounds Currant mony  
 of this province for Every Servant that shall be by him or them Con-  
 cealed at the time of his or their Entry as aforesaid the one halfe  
 Thereof to be appropriated for defraying the publick Charge of this  
 province the other halfe to the Informer or him or them that shall  
 sue for the Same to be recovered in his Lordships Name in any  
 p. 301 Court of record within this Province (that shall have Jurisdiction  
 of the same), by accõn of debt bill plaint or Information wherein no  
 Essoyne protection or wager of Law to be allowed

And be it further Enacted by the Authority Advice and Consent  
 aforesaid that from and after the time as aforesaid for every Negroe  
 Imported into this province Either by Land or Water the Importer  
 or Importers of such negro or Negroes shall pay unto the Navall  
 officer aforesaid the sume of four pounds Currant money per poll  
 (over and above the twenty shillings Sterling per pole Imposed by  
 a former act of Assembly of this province) for the uses aforesaid  
 on penalty and forfeiture of Twenty pounds Currant money per pole  
 for Every Negroe kept back or unaccounted for to be applyed to the  
 uses aforesaid and to be recovered as aforesaid

Acts of An Act repealing an Act Entituled an Act Against Strikeing Sundry  
 July, 1716, Sorts of fish within the Precincts of this province  
 ch. 7  
 (Repeals Be it Enacted by the Right Hon<sup>ble</sup> the Lord Proprietary by and  
 1712, ch. 11) with the advice and Consent of his Lordships Governour and the  
 p. 301 upper and Lower Houses of Assembly and by the authority of the  
 same that an Act of Assembly of this Province Made at a Session of  
 Assembly begun and held at the City of Annapolis the twenty Eighth  
 day of October Anno Domini Seventeen hundred and twelve En-  
 tituled an Act against Strikeing Sundry Sorts of fish within the  
 precincts of this province and Every Article Matter Clause and thing  
 therin Contained be and is hereby utterly Repealed and made Void

An Act ascertaining the Gage and Tare of Tobacco Hoggsheds and to prevent cropping cutting and Defacing Tobacco taken on board Shippes or Vessells upon Freight and for laying Impositions on Tobacco *p* the Hoggshed for the Support of Government and for the encouraging Settlements in this Province by ascertaining the manner of paying his Lordships Alienation Fynes and Quit Rents for the Terme therein proposed and for takeing of the Three pence *p* Hoggshed formerly raised for the publick Charge.

Liber L.L. 4  
Acts  
p. 302  
(Calvert  
Paper,  
No. 812, 7)  
Acts of  
July, 1716,  
ch. 8  
[Superseded  
by 1717,  
ch. 7]

Forasmuch as the Laws heretofore made for ascertaining the Gage of Tobacco Hoggsheds have in great Measure proved ineffectual either for want of laying Sufficient Penalties upon the Offenders or of proper Methods to inflict them, but more especially as it seemes to this present Generall Assembly by requireing a Compliance with such a Gage as has been found by experience to tend to the ruin of such Traders as were strict Observers of it, the Generallity of Our Tobacco being of so light and Chafy a nature that it has been found wholly impracticable & in a manner impossible to Pack or Prize so much of it in a Hoggshed of the late Gage of Thirty Inches in the Diameter of the Head as would Suffice for the payment of Freight and other Charges arising thereon the Freighters of such small Hoggsheds having been frequently brought in Debt by the Smallness of the Quantity of Tobacco contained therein to the great Damage of the Tobacco Trade particularly of the fair Traders therein which seems in a manner to have brought the latest of the aforementioned Laws into a Generall Disuse it being rather more Mischeivous to the Freighters to be brought in Debt by their strict observance of that Gage than to Loose their Tobacco here for exceeding it for remedy whereof for the future

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governour and the Upper and Lower Houses of Assembly and the Authority of the same That from and after the End of this present Session it shall and may be lawfull for any person or Persons whatsoever suspecting discovering or knowing of any Hoggshed or Hoggsheds of Tobacco that shall exceed Forty Eight Inches in the Length of the Stave or Thirty two Inches in the Diameter of the Head within the Croze or that shall exceed Thirty Seven Inches Diameter in the Bulge on any Accident or pretence whatsoever (Thirty Six Inches Diameter in the Bulge being supposed a Competent Gage) to call to his Assistance any Justice of the Peace Sherr Coroner Vestryman or Church Warden liveing or resideing within the County where such Tobacco shall be suspected Known or Discovered and to Enter into any House Ware house Ship Boat or other Vessell and there in the Presence of such Justice or other Officer *afs*<sup>d</sup> (who are hereby required to be present aiding and assisting to such Informer therein) to seize and mark with the broad Arrow every such Hoggshed or Hoggsheds of

Liber LL, 4 Tobacco as such Informer shall request such Justice or other Officer  
 Acts to view on Suspicion of exceeding the Gage af<sup>d</sup> and also that such Justice or other Officer shall on Request of such Informer and is hereby required to proceed in such manner as He shall think most proper to examine the Gage thereof so as no Hoggshead or Hoggsheads of Tobacco stowed away on board of any Ship or other Sea Vessell shall on Such Informations be unstowed unless such Hoggshead or Hoggsheads appear in view and if upon such Examination any Hoggshead or Hoggsheads shall be found by such Justice or other Officer af<sup>d</sup> to exceed the Gage af<sup>d</sup> It shall be lawfull then and not otherwise for such Justice or other Officer immediately to condemn the same to the Use of such Informer who shall thereupon be immediately vested with the Property thereof and may convert the same to his own Use accordingly, and the Judgm<sup>t</sup> of such Justice or other Officer therein shall be finall but in case such Hoggshead or Hoggsheads be not found to exceed the Gage af<sup>d</sup> then such mark of seizure shall be struck out by such Justice or other Officer af<sup>d</sup> and the Seizure be thereby releast But in case any person or persons whatsoever shall have sight of any Hoggshead or Hoggshead of Tobacco that He or They shall suspect to exceed the Gage af<sup>d</sup> it shall and may in such Case be lawfull for such Person or Persons immediately to Seize and marke the same as af<sup>d</sup> altho no such Justice or other Officer as af<sup>d</sup> be present of which seizure such Informer shall forthwith give Information to some Justice or other Officer af<sup>d</sup> living or residing in the County where such Hoggshead or Hoggsheads shall be so marked or seized who shall be by this Act obliged to go with such Informer to view and Examine the Gage of such Hoggshead or Hoggsheads as aforesaid and shall in all Things proceed to the viewing Examination or Condemnation of such Hoggshead or Hoggsheads of Tobacco after the same Manner and to the uses af<sup>d</sup> or to the releasing the seizure thereof as is herein before directed and every such Informer or Seiser shall pay to the Justice or other Officer af<sup>d</sup> making such View or Condemnation af<sup>d</sup> the Sum of tenn shill<sup>s</sup> Currant money for every  
 p. 304 Hoggshead that such Justice or Officer shall be requested so to view or Examine by such Informer whether the Hoggshead or Hoggsheads so viewed be condemned or not to be recovered according to Act of Assembly of this Province for speedy Recovery of Small Debts out of Court before a Single Justice,

And Be it further Enacted that in case any of the Justices of the County Court any Sherr. Coroner Vestryman or Church warden who upon Application made by any Informer shall without Lawful Excuse or Impediment refuse or delay to performe what is required of Them by this Act the Justice or Officer so refusing shall forfeit and pay the Sum of Fifteen Shillings currant money for every Hoggshead so by Him refused to be viewed to the Use of such Informer to be recovered at last before mentioned.



And be it further enacted by the Authority Advice and Consent *Liber LL, 4*  
 af<sup>d</sup> that no person or persons whatsoever after such Hoggshead or *Acts*  
 Hoggsheads of Tobacco marked with the broad Arrow af<sup>d</sup> and  
 before view thereof by any Officer as af<sup>d</sup> shall presume to remove  
 alter or Change any Hoggshead so marked as af<sup>d</sup> or the Tobacco  
 therein so as to avoid the Justice of this Act nor after View and  
 Condemnation in manner af<sup>d</sup> shall presume to alter or Change in  
 any wise Meddle with such Condemned Hoggshead or Hoggsheads  
 of Tobacco without Leave or License from such Informer under  
 penalty of forfeiture for every Hoggshead of Tobacco so removed  
 altered or changed as af<sup>d</sup> the sume of Twelve Hundred Pounds of  
 Tobacco to the Use of such Informer to be recovered in any County  
 Court within this Province by Accōn of Debt Bill Plaint or Infor-  
 mation wherein no Essoyne Protection or Wager of Law to be  
 allowed.

And be it further Enacted that if any person or persons shall after  
 the End of this Session of Assembly pay or tender to pay any packt  
 Hoggshead or Tobacco whereof the full weight of the empty Hoggs-  
 head or the full weight within the five pounds is not cut or markt on  
 the Bulge of such Hoggshead and be thereof convict in manner af<sup>d</sup>  
 He or They so convict as af<sup>d</sup> shall forfeit for every such Hoggshead  
 or Hoggsheads not having the weight set thereon as af<sup>d</sup> the sume of  
 six Hundred Pounds of Tobacco the one halfe thereof to the Right  
 Honourable the Lord Proprietarie his Heirs and Successors towards  
 the defraying the Charge of the County where such Offence shall be  
 committed the other halfe to the Informer or to Him or Them that  
 shall sue for the same to be recovered in such County Court by accōn  
 of Debt Bill Plaint or Information wherein no Essoyne Protection or  
 Wager of Law to be allowed. And for the ascertaining what shall be  
 allowed for the value of a Tobacco Hoggshead.

Be it Enacted that the Receiver of any Hoggshead of Tobacco shall  
 pay and allow to the Owner or Owners thereof for such Hoggshead  
 received the Sume of Forty pounds of Tobacco to be added to the nett  
 weight of such Tobacco And whereas the Inhabitants of this Prov- *p. 305*  
 ince that Ship Tobacco on board Ships and other Vessells upon  
 Freight are much abused by cropping cutting lessening and diminish-  
 ing of the Hoggsheads wherein such Tobacco is packt by the Masters  
 of Ships or other Vessells or by other persons under their Command  
 and Government for Remedy whereof for the future Be it Enacted  
 by the Authority Advice and Consent af<sup>d</sup> that if any Master of a Ship  
 or other Vessell within this Province after the End of this present  
 Session of Assembly shall receive any Hoggshead or Hoggsheads of  
 Tobacco on board his said Ship or Vessell on freight and Shall either  
 by Himselfe or any other Officer or Person on board his said Ship or  
 Vessell under his Command Cut or Suffer any Hoggshead or Hoggs-  
 heads of Tobacco to be Cut Cropt or Lessened in their Length or  
 Breadth or by any other Ways or meanes abused defaced or Impaired

Liber LL, 4 that then and in every such Case such Master of Shippes or Vessells for  
 Acts every Hoggshead of Tobacco so cut or suffered to be cut cropt or  
 lessened in their Length or Breadth abused defaced or impaired to  
 be proved by the Oath of any Suff<sup>t</sup> person to whome the Tobacco is  
 consign'd in Great Brittain or other Sufficient witness taken before  
 any Magistrate and a Certificate thereof made by any Notary Publick  
 or Magistrate and sent hither under his hand and Seale or by any  
 other Legall Proof whatsoever made in this Province or else where  
 shall forfeit and pay the Summe of Six hundred pounds of Tobacco or  
 fifty shillings Sterling to the party Grieved to be recovered in any  
 Court of Record in this Province against such Master or his Sureties  
 by Accōn of Debt or on the Case within two Years after the Date of  
 the Bill or Bills of lading of such Tobacco And be it Enacted by the  
 Authority af<sup>d</sup> that the Security or Securities of any Master of a Ship  
 or Vessel within this Province shall be lyable to make Satisfaction  
 according to this Act for the Cropping cutting abusing defacing and  
 impairing of any Hoggshead or Hoggsheads of Tobacco as af<sup>d</sup> and  
 prosecute for the same in any Court of record within this Province  
 that can hold plea thereof and that every Navall Officer within this  
 Province shall on pain of Fifty Shillings Sterling certifie under his  
 Hand and Seale who are the security or Securitys of any such Master  
 which shall be Sufficient Evidence in any Court of Record where such  
 Accōn is commenced to Prove who are the Security or Securities of  
 such Master for which Certificate the Navall Officer may have and  
 receive, one shilling and no more and that the Severall and respective  
 Navall Officers within this Province shall hang a fair Copy of this  
 Law in their respective Offices for the perusall of All Masters of Ships  
 and Vessells the said Navall Officer to have and receive for the said  
 p. 306 Copy One Hundred Pounds of Tobacco to be allowed in the County  
 Levy. And Forasmuch as by the Enlargement of Tob<sup>o</sup> Hoggsheads  
 from the late Gage of Thirty Inches in the Diameter of the Head to  
 this present Gage a Larger Quantity of Tobacco will be exported  
 in each Hoggshead whereby the Severall Duties and Imposts on  
 Tobacco will be evidently retrenched and lessened unless a Just  
 Regard be had to the preservation of Them in their usuall worth and  
 Vallue which this present Generall Assembly is highly oblig'd to,  
 those Duties being generally apply'd to the Support of Government  
 and for other the most important Affaires of this Province and th<sup>t</sup>  
 therefore it is not only just but necessary that the Duties upon the  
 Hoggsheads which shall be of the Gage herein directed should be  
 in some sort Enlarged proportionably to the Enlargem<sup>t</sup> of the said  
 Gage It is therefore most humbly prayed that his Lordship the  
 Lord Proprietarie will be favourably pleased to Grant that it may  
 be Enacted And be it Enacted by his said Lordship by and with the  
 Advice and Consent af<sup>d</sup> that from and after the Twenty ninth Day  
 of September next there shall be levyed Collected and raised to the  
 right honourable the Lord Proprietarie his Heirs and Successors

for every Hoggshead of Tobacco which shall be shipt in any Ship or Vessell to be exported out of this Province or any the Territories Islands Ports Rivers Creeks or places thereto belonging after the Twenty ninth Day of September af<sup>d</sup> the sume of Fifteen pence sterl in Lieu and stead of the Twelve Pence Sterling formerly imposed on every Hoggshead of the forementioned former Gage and for every Hundred Weight of Tobacco exported in Box Chest Barrell or Case two pence half penny Sterling and so pro rato for a greater or lesser Quantity Provided always that the money that shall be raised by the said Duty shall be applyed to those Ends and uses for which it has hitherto been raised Videlicet for the Support of his Lordships Government within this Province in manner following and not otherwise, that is to say, Three pence of the said Fifteen Pence per Hoggshead for the purchaseing Armes and Ammunition for the maintaining a Magazine for the better Defence of this Province and for the due Preservation thereof to be collected by the proper Officer and paid to the Treasurer or Treasurers of this Province for the time being to be disposed of to the uses af<sup>d</sup> as the Governour & Councill for the time being shall direct the other twelve pence to his Lordships Governour for the time being actually inhabiting and resideing within this Province for the better Enabling Him to support the Honour and Dignity of Government and effectually to execute the Powers and Authorities to Him committed to be collected by the Proper Officers by Him appointed and paid to such Governour as af<sup>d</sup> And in case of the Death or Absence of such Governour the one halfe of the said Twelve Pence applyed to the Governour as af<sup>d</sup> that shall arise in such Vacancy shall be applyed to the Maintenance and Support of such of his Lordships Councill as shall then preside the other halfe to be applyed towards the building an House for his Lordships Governour and be lodged in the Publick Treasurers Hands for that use And be it further Enacted that the said Duty and Impost shall be from time to time paid and satisfied by the Master or Masters of every such Ship or Vessell respectively in which any such Tobacco shall be exported upon his or their clearing or taking out his or their Dispatch or Dispatches for every such respective Ship or Vessel and before the Departure of such Ship or Vessell and the Master or Masters of every such Ship or Vessell coming into this Province shall at their first Arrivall here and before their Loading on board any Goods or Commodeties of the Growth Production or Manufacture of this Province Give good and Suff<sup>t</sup> Security to his Excellency the Governour or the Officer thereunto Especially appointed for the payment of the said Duty or Imposition accordingly And whereas the Generall Assembly of this Province on the Twenty sixth day of April Anno Dom. Seventeen Hundred and Fifteen made their humble Application to the late Right Honourable Benedict Leonard Lord Baron of Baltemore that He would be favourably pleased to Accept of his Rents and Fines for Alienations in Tob<sup>o</sup>

Liber LL, 4  
Acts

p. 307

Liber LL, 4 at two pence Sterling per pound in such Manner and on such Con-  
 Acts ditions and Termes as his noble Ancestors have heretofore done for  
 the greater Ease to their Tenants in the payment of their Rents and  
 the better to Encourage the Cultivation and Settlement of the remoter  
 Parts of this their Proprietorship

And For as much as the Gratuity formerly settled on his said  
 Lordships Ancestors before the Decease of the late Right Honour-  
 able Charles Lord Baron of Baltemore was raised by an Impost of  
 twelve pence on the Exportation of every Hoggshead or Four Hun-  
 dred pounds of Tobacco which Impost determined by the Death of  
 the s<sup>d</sup> Right Honourable Charles Lord Baron of Baltemore so that  
 thereby his Lordships Rent became payable in money But Forasmuch  
 as to have continued the payment thereof in money would have been  
 wholly impracticable from the great Scarcity of it amongst us and  
 that it would not only have tended much to the disappointment of his  
 Lordship in receipt of his Rents but also to the Oppression of such  
 Tenants as held Lands under Conditions of such punctuall Payment  
 as the Tenour of their Grants requires and to the disenheriting many  
 who would have been obliged to Surrender their Estates for want of  
 Ability to comply therewith which in all probabillity would have  
 p. 308 proved a Check to the further Cultivation of the Remote and Farrest  
 Lands of this Province being parte of his Majestys Dominions. All  
 which Inconveniencies that Generall Assembly most earnestly desired  
 might be provided against. And for asmuch as the Quantity of  
 Tobacco then usually exported on w<sup>ch</sup> might be exported in a Hoggs-  
 head of the Gage by this Act settled exceeded the Quantity which  
 was commonly reputed to be the Contents of a Hoggshead at the time  
 when the af<sup>d</sup> Twelve pence p Hoggshead was settled on his Lordships  
 Ancestors for the makeing easy the payment of his Rents & Times  
 for Alienations af<sup>d</sup> and also for that altho the number of Hoggsheads  
 annually exported hath much increased since that time yet for that  
 the value of his said Lordships Rents hath much more encreased a  
 Law was then passed for the raising an Impost of Eighteen Pence  
 Sterl p Hundred on Tobacco exported out of this Province in Box  
 Chest Barrell or Case for the use of the said Lord Proprietarie in  
 Consideration of his takeing Rents and Alienacōn Fines in Tobacco  
 at two pence Sterl per pound And whereas his present Lordship the  
 Right Honourable Charles Lord Baron of Baltemore since the De-  
 cease of his noble Father the late Lord Benedict has signified to this  
 present Generall Assembly his Willingness to accept of an Additionall  
 Duty of Six pence Sterl per Hoggshead in full Satisfaction of his  
 Quit Rents & Fines for Alienations that shall arise or grow due  
 within this Province during the Continuance of this Act which is  
 thought by the Generall Assembly to tend to the Good of the Gener-  
 ality of the poorer Sort of Planters and especially those Orphans  
 who holds Lands within this Province Be it Enacted by the Right



Hon<sup>ble</sup> the Lord Proprietarie by and with the Advice and Consent of his Lordships Governour and the Upper and Lower Houses of Assembly and by the Authority of the same that from and after the Twenty ninth Day of September next there shall be Raised Levied Collected and paid for every Hoggshead of Tobacco which shall be Shipt in any Ship or Vessell to be exported out of this Province or any the Territories Islands Ports Rivers Creeks or places thereto belonging, the Sume of Two Shillings Sterling and for every Hundred weight of Tobacco Exported in Box Chest Barrell or Case Four Pence Sterl and so pro rato for a Greater or lesser Quantity to his Lordship the Lord Proprietary in full Discharge and Satisfaction of his Quit Rents and Fynes for Alienations and that shall arise or grow due within this Province from and after the said Twenty ninth day of September and that the said Duty of two Shillings Sterl p hoggshead shall after the said Twenty ninth day of September aforesaid be paid to such Officer or Officers as his Lordship shall think fit to appoint to receive or collect the same by the Master or Masters of every such Ship or Vessell respectively in which any such Tobacco shall be exposed on or after the said Twenty ninth day of September next during the Continuance of this Act upon his or their clearing or taking out his or their Dispatch or Dispatches for every such respective Ship or Vessell and before the Departure of such Ship or Vessell and the Master or Masters of every such Ship or Vessell coming into this Province shall at their first Arrivall here and before their loading on board any Goods or Commodities of the Growth Production or Manufacture of this Province give good and sufficient Security for the payment thereof as is herein before directed.

And be it further Enacted by the Authority a<sup>d</sup> that the Act of Assembly of this Province Entituled an Act for ascertaining the Gage and Tare of Tobacco Hoggsheads and to prevent cropping cutting and defaceing Tobacco taken on board Ships or Vessells upon Freight and for laying Impositions on Tobacco p the Hoggshead for the Support of Government and for the Encourageing settlements in this Province by ascertaining the Manner of paying the Alienation Fynes and Quit Rents to the Lord Proprietarie of this Province on the Conditions therein mencōned made at a Session of Assembly begun and held at the Port of Annapolis the Twenty Sixth of Aprill Anno Domini Seventeen Hundred and Fifteen be and is hereby revived and continued in full Force untill the Twenty ninth Day of September next and no longer And whereas it is considered by this present Generall Assembly that the Levying and imposing the Additional Duty of six pence p Hoggshead for his Lordship in full Discharge of the Quit Rents and Fines for Alienations as a<sup>d</sup> will advance the whole Duty at present on Tobacco exported out of this Province to the sume of Three Shillings and nine [pence] Sterl p Hoggshead which will be so great a Burthen on the Tobacco Trade

Liber LL, 4  
Acts  
p. 309

Liber LL, 4 that this Generall Assembly think it their Duty and absolute neces-  
 Acts sary to Ease it as farr as in Them lyes. Be it therefore Enacted by  
 the Authority Advice and Consent aforesaid that an Act of Assem-  
 bly of this Province Entituled an Act laying an Imposition of three  
 pence ꝑ Hoggshead on Tobacco for Defraying the publick Charge of  
 this Province made at a Session of Assembly begun and held at the  
 City of Annapolis the Twenty second Day of June Anno Dom. one  
 Thousand Seven Hundred and Thirteen shall after the Twenty  
 p. 310 Ninth day of September next be hereby utterly repealed and made  
 void. Provided also that from and after the said Twenty Ninth Day  
 of September in Case of Ship wreck or other Loss of any Ship or  
 Shipps Vessell or Vessells so that the Tobaccoes therein laden be  
 lost before the Delivery of such Ship or Vessell at the intended Port  
 then the Master Merchant or Owner of such Tobaccoes so laden and  
 lost as af<sup>d</sup> who shall have paid the Duties afores<sup>d</sup> shall have Liberty  
 to Ship at some other time so many Hoggsheads of Tobacco as they  
 had formerly paid Impost mony for as af<sup>d</sup> free and clear of any the  
 said Impositions And be it further Enacted and Declared by the  
 Authority af<sup>d</sup> by and with the Advice and Consent af<sup>d</sup> that the  
 Publique of this Province shall not be burthened or charged with  
 any Salary or Sallarys for the collecting all or any of the said Duties  
 and Imposts herein before mencōned to be raised save only the Duty  
 of three pence ꝑ Hoggshead on Tobacco exported by this Act  
 appropriated for the purchaseing of Arms and Amunition for the  
 Defence of this Province which shall and is hereby intended to be  
 received by the severall Navall Officers of the respective Ports where  
 the same shall arise for which receiving they shall be allowed after the  
 rate of Eight ꝑ Cent and be and are hereby obliged to Account there-  
 fore with the publick Treasurers of this Province who shall render  
 Acc<sup>t</sup> thereof to the Generall Assembly when thereto required, and  
 which Treasurers for receiving Accounting and paying the said  
 Duties as may be directed according to the Intention of this Act shall  
 Have and Receive the Salary of two and a halfe ꝑ Cent and no  
 more and the said money to be lodged in the hands of such Merchant  
 or Merchants in London as the Upper and Lower Houses of Assem-  
 bly shall from time to time direct. And be it further Enacted by the  
 Authority af<sup>d</sup> that the severall and respective Clerks of the Provin-  
 ciall and County Courts within this Province shall yearly and every  
 Year dureing the Continuance of this Act Ex Officio make out a true  
 and fair List of all such Alienations as shall be yearly recorded in the  
 respective Courts that is to say the Names of the Parties Grantor  
 and Grantee the Dates of the Deeds and Name of the Lands with  
 the Quantity thereof ready to be delivered to the Agent of the  
 Right Honourable the Lord Proprietarie of this province when  
 required of such Clerks and in Case the Clerk of the Provinciaill  
 Court shall neglect to do what is required of Him to be done by this

Act He shall forfeit the sūme of tenn pounds Currant Mony and the Clerk of the County Court so neglecting as af<sup>d</sup> shall forfeit the Sūme of five pounds Currant mony to the right Honourable the Lord Proprietarie of this Province his Heirs and Successors towards the Support of his Lordships Government within this Province to be recovered in any County Court within this Province by Accōn of Debt Bill Plaint or Information wherein no Essoyne Protection or Wager of Law to be allowed.

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Acts  
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This Act to continue untill the Twenty ninth Day of September which shall be in the Year of Our Lord God one Thousand Seven Hundred and Twenty

An Act for Confirming and making Valid in Law a Conveyance of land made by Anthony Ivy and Anne his Wife lately deceased to John Alla of Queen Annes County

Acts of  
July, 1716,  
ch. 9

Whereas It has been made Appaere to this present Generall Assembly that Robert Smith Esq<sup>r</sup> late of Queen Anne's County deceased in his Life time for the Quantity of four thousand pounds of tobacco to him in hand paid by the said John Alla Did treat with and Agree to Sell unto him the said John Alla two hundred and forty one Acres of land being parte of a tract of land Called Confusion and also parte of an other Tract of land Called Adventure Lying or Supposed to Lye in Queen Annes County af<sup>d</sup> and that before he the said Robert Smith had Conveyed the same or had a Title so to doe unto him the said John Alla pursuant to the treaty and Agreement aforesaid Dyed and that afterwards Viz. the Twenty second day of August in the Year of our Lord One thousand Seven hundred and tenn Anthony Ivy of Queen Annes County af<sup>d</sup> Gent lately deceased and Anne his Wife the daughter and heires at Law of the said Robert Smith Esq<sup>r</sup> in Pursuance of and Compliance with the said treaty and Agreement by their deed Indented of bargainie and Sale bearing date the day and Year af<sup>d</sup> and by them duly Executed Acknowledged and recorded in the Records of Queen Annes County for the Consideration of four thousand pounds of tobacco in the said Deed mentioned did Convey unto him the said John Alla the said two hundred and forty one acres of Land which Deed followes in these Words Viz. Maryland ss. This Indenture Made the Twenty second day of August in the Year of our Lord one thousand Seven hundred and ten Between Anthony Ivy and Anne his Wife of the one parte and John Alla of the other parte All of Queen Annes County Wittneseth that the said Anthony Ivy and Anne his Wife for and in Consideration of the sūme of Four thousand pounds of tobacco to them in hand paid att and before the Ensealeing and Delivery of these presents by him the said John Alla wherewith the said Anthony Ivy and Anne his Wife their heirs Executors & Administrators doe Acknowledge themselves to be fully Satisfied Contented and paid and

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Liber LL, 4 of Every parte and parcell thereof doe Acquitt and Discharge the  
 Acts said John Alla his heirs Executors and Adm<sup>rs</sup> forever by these presents have bargained and Sold and by these presents doe bargain Sell Allein Enfeoffe and Confirme unto him the said John Alla his heirs and Assignes all that parcell of Land Lying in said County being parte of a Tract of Land Called Confusion and parte of a tract of Land Called Adventure and now or late in the tenure or Occupation of them the said Anthony Ivy and Anne his Wife their Assignee or Assignees and all Gardens Orchards Fences buildings woods underwoods and all other Hereditaments to the same belonging or Appurtaining all which said parcell of Land and appurtenances are Scituate lying and being in said Queen Annes County Beginning at the first beginning tree of the land of Thomas Davies Standing in north west line of a tract of land formerly layd out for Humphrey Davenport and runing thence south west and by west with Davises, land three hundred and twenty perches then Northwest Seventy five perches then North East and by East one hundred and Sixty pearches to a Small Branch then downe by and with the said small branch according to its severall Courses to the main branch then by and with the main branch up to the said Davenports Land and then South East with that Land to the said first Tree by Estimation two hundred and forty one Acres and the Reversion and reversions Remainder, and Remainders of all and Singular the before hereby Granted premises, with their appurtenances and all rent or rents reserved upon any Grant or Grants Demise or Demises made of the premises or of any part or parcell thereof and also all the Estate Right Title Interest Claime or Demand whatsoever of them the said Anthony Ivy and Anne his Wife in or to the same and all Deeds and Writeings Whatsoever touching or Concerning the premises or any parte or parcell thereof To have and to hold the said parcell of Land and premises hereby granted bargained Sold or Intended to be granted bargained and Sold with Every of their Rights Members and Appurtenances Whatsoever unto them the said John Alla and to the only proper use and behoofe of him the said

p. 313 John Alla his heirs and Assignes Against them the said Anthony Ivy & Anne his Wife their heirs &c<sup>a</sup> and all and Every other person or persons Whatsoever shall and will warrant and forever Defend by these presents and the said Anthony Ivy and Anne his Wife for themselves their heirs &c<sup>a</sup> do Covenant and Agree to and with the said John Alla his heirs and Assignes and Every of them that them the said Anthony Ivy and Anne his Wife at the Time of the Ensealing and Delivery of these presents have good right and Lawfull Authority and have an Absolute Estate of Inheritance of all and Singular the before granted premises and that Every parte and parcell thereof shall be fully Vested and Settled in and upon him the said John Alla his heirs and Assignes and according to the True Intent



and meaning of these presents shall Remain Continue and be Seized of and in the said Parcell of land and premises in and by these presents bargained and Sold with Every of their Appurtenances of a Good and Absolute an Estate of Inheritance in fee Simple without any Condition reversion or remainder or Limitation of any use or uses Estate or Estates in or to any person or persons whatsoever to alter change or make Void the same and that the said Anthony Ivy and Anne his Wife have good right full power and Lawfull Authority to sell and Convey all and Singular the before hereby granted premises with their Appurtenances unto him the said John Alla his heirs and Assignes in manner and forme af<sup>d</sup> and that him the said John Alla his heirs & Assignes shall and may by force and Vertue of these presents from time to time and at all times forever hereafter Lawfully and peaceably have hold use possess occupy & Enjoy the said parcell of Land & premises with their appurtenances and have and take the rents and proffitts thereof to his or their own proper use and behoofe forever without any Lawfull lett Trouble denyall Interruption or disturbance of them the said Anthony Ivy and Anne his Wife or any other person or persons Whatsoever and that free and Clear and freely and Clearly acquitted and Discharged and at all times forever hereafter saved and kept Harmless by them the said Anthony Ivy and Anne his Wife their heirs &c<sup>a</sup> from all manner of former or other Gifts grants Bargains Sales Leases Mortgages dowers Title of Dowers Joyntures Intailes rents and arre[ar]-ages of Rents and from all & Singular other Titles and Incumbrances Whatsoever had made or done by him the said Anthony Ivy and Anne his Wife or any other person or persons Whatsoever and the rents and Services which from henceforth from time to time in respect of the premises shall grow Due and payable unto the Chief Lord or Lords of the Fee or Fees of the premises only Excepted and foreprized And Lastly It is Covenanted and agreed upon by and between the parties to these presents that all Fines Feoffments Recoveries Conveyances and Assurances in the Law Whatsoever had made or done by the parties to these presents touching or Concerning the premises or any parte or parcell of them shall be deemed and taken to be and Inure to the only proper use and behoofe of him the said John Alla his heirs and Assignes forever and to no other Intent or purpose In Wittness Whereof the parties above Named have hereunto Set their hands and Seales the day and Year first above Written Anthony Ivy Anne Ivy sealed and Delivered in the presence of Solomon Wright Ev<sup>n</sup> Thomas On the back of which said rec[i]ted Deed is thus Endorsed Viz.

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Acts

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August the 23<sup>d</sup> 1710 Then Came Anthony Ivy and Anne his Wife, who being first privately Examined according to Law Before us the subscribers two of her Majesties Justices of the peace for the said County and Acknowledged the within Deed and the

Liber LL. 4 Land & Premises therein mentioned unto the within named John  
 Acts Alla his heires [and] Assignes forever. Solomon Wright John Wells.  
 And Whereas also It appeares that Neither the said Robert Smith  
 Esq<sup>r</sup> in his Life time or the said Anthony Ivy and Anne his Wife  
 att the Time of makeing & Executeing the said Deed had any  
 Right or Title to the said Land the same being Vacant and never  
 taken up And Whereas the said Anthony Ivy in his Life time after-  
 wards Viz. the Twenty second day of September One Thousand  
 seven hundred and thirteen Obtained the Letters Pattent of the Right  
 honourable Charles Lord Baltemore lately Deceased for a Tract of  
 land Called Confusion for the Considerations and suggestions in the  
 said Patent mentioned and sett forth which Letters patent are  
 recorded in the Secretary's office in the province of Maryland in the  
 Book P Ll N<sup>o</sup> 3 f<sup>o</sup> 513 that thereby he the said Anthony Ivy may  
 be Enabled to Convey the same pursuant to the Agreement made  
 between the said Robert Smith in his Lifetime and the said John  
 Alla to the said John Alla his heirs and Assignes.

And Forasmuch as it also Appeares to this present Generall Assem-  
 bly that the said Anthony Ivy is since deceased haveing never made  
 any Conveyance of the said two hundred and forty one Acres of Land  
 after his obtaining the said Letters patent to the said John Alla and  
 that Robert Smith Ivy the son of the said Anthony is now under age  
 and under the Tuition and Guardianship of Renatus Smith of Queen  
 p. 315 Anne's County Gent his uncle and thereby Incapable to Convey the  
 said Lands to the said John Alla and his heirs pursuant to the true  
 Intent and meaning of his said Father Anthony Ivy And Whereas  
 the said Renatus Smith on his behalfe Confessed the matters and  
 things aforesaid to be true before this Generall Assembly Therefore  
 the said John Alla prayed that he and his heirs by an Act of Assembly  
 of this Province to be made and by Vertue of the said Deed so Exe-  
 cuted by the said Anthony and Anne his Wife in their Life times may  
 have the said Land Confirmed to him and his heirs according to the  
 true Intent and meaning of the said Deed as fully and Effectually in  
 Law to all Intents and purposes as if the said Deed had been Exe-  
 cuted by the said Anthony and his Wife after the said Letters Patent  
 were granted he the said John Alla Paying to the Right Hon<sup>ble</sup> the  
 present Lord Proprietarie the Alienation Fine within the Space of  
 Six months after the End of this Session of Assembly. Be it there-  
 fore Enacted by the Right Hon<sup>ble</sup> the Lord Proprietary by and with  
 the Advice and Consent of his Lordships Governour and the upper  
 and Lower houses of this present Generall Assembly and the Author-  
 ity of the same that the said John Alla shall and may by Vertue of  
 the said Deed & this present Act have hold and for every Enjoy  
 according to the true Intent and meaning of the said rec[i]ted Deed  
 the aforesaid two hundred and forty one Acres of Land parte of the  
 said two Severall Tracts of Land Called Confusion and Adventure as

fully and Amply to all Intents and purposes whatsoever as if the said Deed had been Executed Recorded and Acknowledged after the said Letters patent were Granted to the said Anthony Ivy and According to the Exigence of the Law any Law Statute or usage to the Contrary Notwithstanding Saveing the Right of his Most Sacred Majesty his heirs and Successors and of all Bodies Politique and Corporate

Liber LL, 4  
Acts

An Act for Confirming and making Valid in Law a Conveyance of land made by Anthony Ivy and Anne his Wife lately deceased to Thomas Davies and John Davies the sons of John Davies late of Queen Annes County deceased.

Acts of 1716,  
ch. 10  
p. 316

Whereas it has been made appear to this present Generall Assembly that Robert Smith Esq<sup>r</sup> late of Queen Anne's County deceased in his Lifetime for the Quantity of Eleven thousand pounds of tobacco to him in hand by John Davies late of Queen Anne's County deceased did treat with and Agree to sell unto the said John Davies four hundred and twenty Acres of Land being parte of a tract of Land Called Confusion lying or supposed to Lye in Queen Annes County aforesaid and that before the said Robert Smith had Conveyed the Same (or had a Title so to doe) unto him the said John Davies pursuant to the treaty and Agreement af<sup>d</sup> both the said Robert Smith and the said John Davies dyed, and that afterwards Viz. the Twenty second day of August in the Year of our Lord Seventeen hundred and tenn Anthony Ivy of Queen Annes County af<sup>d</sup> Gent lately deceased an[d] Anne his Wife the daughter and heiress at Law of the said Robert Smith Esq<sup>r</sup> in pursuance of and Compliance with the said Treaty and Agreement by their deed Indented of bargain and Sale bearing date the day and Year aforesaid and by them duly Executed acknowledged and recorded in the records of Queen Ann's County for the Consideration of Eleven thousand pounds of tobacco in the said deed menconed did Convey unto Thomas Davies and John Davies the sons of the said John Davies deceased the said four hundred and twenty acres of Land which Deed followes in these words, Vidilicet, Maryland ss, Queen Annes County Court.

This Indenture made the twenty second day of August in the Year of our Lord one thousand Seven hundred and tenn Between Anthony Ivy and Anne his Wife of the said County Gent of one parte and Thomas Davies and John Davies sons of John Davies late of the said County deceased and both of said County of the other parte Wittnesseth that the said Anthony Ivy and Anne his Wife for and in Consideration of the Summe of Eleven thousand pounds of tobacco to them at & before the ensealeing and Delivery of these presents well and truely in had paid by the aforenamed John Davies or his Order in his Life time whereof and wherewith the said Anthony

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Ivy and Anne his Wife doe Acknowledge themselves to be fully Satisfied Contented and paid and of Every parte and parcell thereof doe Clearly Acquit & Discharge the said Thomas and John Davies their heirs Executors and Administrators forever [&] by these presents have given granted bargained and Sold and by these presents do give grant bargain and Sell Enfeoffe and Confirme unto them the said Thomas and John Davies All that four hundred and twenty acres of Land lying in the said County being parte of a tract of Land Called Confusion and now or late in the tenure of them the said Anthony Ivy and Anne his Wife their assignee or Assignees and all Gardens Orchards buildings fences and other hereditaments to the same belonging or Appertaining, All which said four hundred and twenty Acres of land are Scituate and being in Queen Annes County af<sup>d</sup> Beginning at a bounded Red Oake standing on the south side of the southeastermost main branch of Coursica Creek and in the North west line of a tract of land formerly laid out for Humphrey Devenport and runing thence from the bounds of the land of the af<sup>d</sup> Thomas Davises South East One hundred perches then south West by west three hundred and twenty perches then North west one hundred perches then North East and by East to the first begining by Estimation two hundred acres and then begining for the land of the aforesaid John Davies at a bounded red Oake Standing in afores<sup>d</sup> South west and by West line of the land of the af<sup>d</sup> Thomas Davies and runing thence with that Land South West & by west one hundred and Ninety perches then south East and by East one hundred perches then south west one hundred thirty and Six perches then East South East one hundred and twelve perches to the Land formerly bought by Richard Mirax then with that land North west by North forty six perches then East Seven degrees south one hundred and fourteen perches with Mirax his land to the bounded tree of the land Called Smith's forrests then North and by East with that Land one hundred and tenn perches then West by North fifty six perches then North to the first tree Containing by Estimation two hundred and twenty acres, and the reversion and Reversions remainder and remainders of all and Singular the before hereby granted premises and all rent and rents reserved upon any grant or grants demise or demises made of the premises or of any parte or parcell of them and also all the Estate right Title Claim and Demand whatsoever of them the said Anthony Ivy and Anne his Wife in or to the same and all Deeds and Writeings Whatsoever Touching or Concerning the premises or any part or parcell thereof To have and to hold the said four hundred and Twenty acres of Land and all and Singular other the premises hereby granted bargained and sold with their & Every of their rights members and Appurtenances Whatsoever unto them the said Thomas and John Davies and to the only proper use and behoofe of them the said Thomas and John Davies their heirs



and Assignes forever And the said Anthony Ivy and Anne his Wife for themselves their heirs &c<sup>a</sup> the said four hundred and twenty acres of land and premises with their Appurtenances unto them the said Thomas and John Davies their heirs and Assignes against them the said Anthony and Anne his Wife their heirs and Assignes and all and Every other person or persons Whatsoever shall and Will warrant and forever defend by these presents, And the said Anthony Ivy and Anne his Wife for themselves their heirs &c<sup>a</sup> doe Covenant and agree to & with the said Thomas and John Davies their heirs and Assignes and Every of them that them the said Anthony Ivy and Anne his Wife att the time of the Ensealing and Delivery of these presents are and untill a good Absolute Estate of Inheritance of all and singular the before granted premises and that Every parte and parcell thereof shall be fully Vested and Settled in & upon them the said Thomas and John Davies their heirs and Assignes and according to the true Intent and meaning of these presents Shall remaine Continue and be seized of and in the said four hundred and twenty acres of Land and premises in & by these presents bargained and sold with Every of their appurtenances of a good & absolute an Estate of Inheritance in fee Simple without any Condition revercōn or Limitation or remainder of any use or uses Estate or Estates in or to any pson or psons whatsoever to alter change or make Void the same and that the said Anthony Ivy and Anne his Wife at the time of the Ensealing and Delivery of these presents have full power and Lawfull Authority and good right to sell and Convey all and Singular the before hereby granted premises with their appurtenances unto them the said Thomas and John Davies their heirs and that them the said Thomas and John Davies their heirs and Assignes shall and may by force and Vertue of these presents from time to time and at all times forever hereafter Lawfully and peaceably have hold use occupy possess and Enjoy the said four hundred and twenty acres of Land and premises with their Appurtenances and have and take the rents and proffitts thereof for their own proper use and behoof for ever without any Lawfull lett trouble denyall or disturbance of him the said Anthony Ivy and Anne his Wife or any other person or persons whatsoever and that free and Clear freely and Clearly acquitted & Discharged Saved and kept Harmless by the said Anthony Ivy and Anne his Wife their heirs &c<sup>a</sup> from all manner of former and other Gifts Grants bargaines Sales Leases Mortgages Joyntures Dowers Entailes rents & arrearages of rents and from all and Singular other Titles and Incumbrances Whatsoever had made or done by him the said Anthony Ivy and Anne his Wife their heirs &c<sup>a</sup> or any other person or persons, whatsoever the rents and Services which from Henceforth from time to time for and in respect of the premises shall grow due and payable unto the Chief Lord or Lords of the fee or fees of the premises only Excepted and foreprized

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Acts

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Liber LL 4 and Lastly it is Covenanted and agreed upon by and between the  
 Acts parties to these presents that all fines feoffments recoveries and  
 assurances in the Law Whatsoever had made or done or here-  
 after to be had made or done by the parties to these presents  
 Touching or Concerning the said four hundred and twenty acres  
 of Land and premises with their appurtenances or any parte or  
 parcell thereof shall be taken to be and Ennure to the only proper  
 use and behoofe of them the said Thomas and John Davies their  
 heirs and Assignes and to other intent or purpose In Wittness  
 whereof the parties above named have hereunto Set their hands  
 and Seales the day and Year first above Written Anthony Ivy  
 Anne Ivy sealed and delivered in the presence of Sollomon Wright  
 Evan Thomas. On the back of which said recited deed is thus  
 Endorst Viz: August twenty Third Seventeen hundred and tenn  
 Then Came before us the subscribers two of her Majesties Justices of  
 the peace Anthony Ivy and Anne his Wife (who being privately  
 Examined according to Law, and acknowledges the within deed  
 and the Land and premises therein Contained unto the Within  
 Thomas Davies and John Davies their heirs and Assignes forever  
 before us Solomon Wright John Wells. And whereas also it ap-  
 peares that Neither the said Robert Smith Esq<sup>r</sup> in his life time or the  
 said Anthony and Anne his Wife at the time of makeing and Execute-  
 ing the said Deed had any right or Title to the said Land the same  
 being then Vacant and never taken up And Whereas the said An-  
 thony Ivy in his Lifetime afterwards Viz. the Twenty second day of  
 September Seventeen hundred and Thirteen Obtained the Letters  
 patent of the, right honourable Charles Lord Baltemore lately de-  
 ceased for a tract of Land Called Confusion of which the said four  
 p. 320 hundred and twenty acres in the said Deed mencōned is parte for the  
 Considerations and Suggestions in the said pattent mencōned and set  
 forth which Letters patent are recorded in the secretarys office in  
 the province of Maryland in the book P LI N<sup>o</sup> 3 folio 513 that thereby  
 he the said Anthony Ivy may be Enabled to Convey the same pur-  
 suant to the agreement made between the said Robert Smith in his  
 Lifetime and the said John Davies in his Life time to the said  
 Thomas and John Davies the sons of the said Jn<sup>o</sup> Davies and their  
 heirs according to the desire of the said John Davies in his Lifetime  
 And Forasmuch as it also appeares to this present Generall Assembly  
 that the said Anthony Ivy is Since Deceased having never made  
 any Conveyance of the said four hundred and twenty acres of land  
 after his Obtaining the said letters patent to the said Thomas and  
 John Davies and that Robert Smith Ivy the son and heir of the said  
 Anthony is now under age and under the Tuition and Guardianship  
 of Renatus Smith of Queen Ann's County Gentl his uncle and  
 thereby Incapable to Convey the said lands to the said Thomas and  
 John Davies & their heirs pursuant to the true Intent and meaning of

his said father Anthony Ivy And whereas the said Renatus Smith on his behalfe Confessed the matter & things afores<sup>d</sup> to be true before this Generall Assembly Therefore the said Thomas and John Davies have humbly prayed that they and their heirs by an Act of Assemlby of this province to be made and by Vertue of the said deed so Executed by the said Anthony and Anne his Wife in their Life times according to the true intent and meaning of the said Deed so Executed by the said Anthony and Anne his Wife in their lifetimes may have the said land Confirmed to them and their heirs according to the true Intent and meaning of the said deed as fully & Effectually in Law to all Intents and purposes as if the said deed had been Executed by the said Anthony and his Wife after the said Letters patents were granted they paying to the Right Honourable the present Lord Proprietarie the Alienation Fine within the Space of Six months after the End of this Session of Assembly, Be it therefore Enacted by the right Honourable the Lord Proprietarie by and with the Advice and Consent of his Lordships Governour and the upper and Lower houses of this present Generall Assembly and the Authority of the same that the said Thomas Davies and John Davies their heirs and assignes forever shall and may by Vertue of the said deed and this present Act have hold and forever Enjoy according to the true Intent and meaning of the said recited deed the af<sup>d</sup> four hundred and twenty acres of land parte of the said tract of land Called Confusion as fully and amply to all Intents and purposes Whatsoever as if the said deed had been Executed, recorded and Acknowledged after the said Letters pattent were granted to the said Anthony Ivy and According to the Exigence of the Law any Law Statute or useage to the Contrary Notwithstanding. Saveing the Right of his most Sacred Majesty his heirs and Successors and of all bodyes Politique and Corporate.

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Acts

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An Act for the relief of Peter Sawell a Languishing prisoner in Calvert County

Acts of 1716,  
ch 12  
p. 325

Whereas Peter Sawell of Calvert County planter has by his humble petition to the generall Assembly of this Province set forth that he has Continued a prisoner for debt in the Custody of the Sherriffe of Calvert County for above three yeares past and still Continues in the Like Deplorable Circumstances not being able to redeem his body with all the Estate or Interest he has in the World which he would readily Surrender up and parte with to his Creditors if they would accept of the Same and grant him his Liberty But that although he hath often made such offers with many repeated treaties that they might be Accepted of, Yet he hath not yet been favoured with the grant of his requests in that behalfe but instead thereof flat denyalls of any manner of favour from the Chiefest of them so that unless some relief be provided for him by a particular Act to be past in his

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favour which by his said petition he hath humbly praid for he feares he shall Continue a Prisoner for Life and by that meanes his Wife and four Small Children become a burthen to the County for Necessary Sustenance to preserve them from starving and for that the truth of the said Peter Sawells Allegations is made appeare to this present Generall Assembly by Sufficient Testimony and also that the said Peter has not fallen under such Circumstances by any Idleness or Extravagancy of his own haveing been allways an Industrious pains takeing planter, but Merely by his Losses at Sea and the Extreame decay of the Tobacco Trade and also that the said Peter is a man of an honest Sober Conversation and has now been a prisoner for about this five Years past And therefore for that the said Peter and his family are thought fitt Objects of Charity and th<sup>t</sup> his Lying in Goale Cann be no benefitt to his Creditors tho it may prove a ruin to his family and a burthen to the County It is humbly praid that the said Peter may be relieved according to his prayer and that it may be Enacted.

And be it Enacted by the right Honourable the Lord proprietarie by and with the Advice and Consent of his Lordships Governour and the upper and Lower houses of Assembly and by the Authority of the same that in Case the said Peter Sawell shall deliver up and Surrendered to the sherriffe of Calvert County in the presence of two Justices of the peace in the said County whom the said Sherriffe is hereby required to Summons on the request of the said Peter at the said Peters now dwelling plantation at Some Convenient time within three months after the End of this present Session of Assembly all his reall and personall Estate Either in Possession reversion remainder or in trust or in or unto which he hath any Claime or Interest whatsoever and do within the Time aforesaid Convey assigne transfer and make over unto the said Sherriffe of Calvert County for the use of the said  
p. 327 Peters Creditors all such his Estate Interest or Claim as af<sup>d</sup> after such manner as by the said Sherriffe and the Major parte of the Creditors of the said Peter or of such of them as shall think fitt to Direct therein or his or their Councill Learned in the Law shall be Reasonably devised or required at the Costs and Charges of such persons as shall Claime the Benefitt thereof so as the said Peter Sawell be not burthened with any Warrantees thereby other than from himselfe and those that Claime by from or under him And that the said Peter at the Time of such his Surrender and transferring of his Estate as af<sup>d</sup> shall take his Solemn Oath or test before the said two Justices so to be Summoned as aforesaid to the Effect following Viz. I Peter Sawell do sollemnly swear that the goods debts and Effects which I have delivered assigned and made over to the Sherriffe of Calvert County and in trust for the use of my Creditors is the whole Estate both reall and personall of my own in possession or have any Title to in the World and that I have not any Estate



goods or Effects of any kind whatsoever left Either in possession reversion or remainder the Necessary wearing apparell for my selfe Wife and Children Excepted and that I have not directly nor Indirectly sold leased or Otherwise Conveyed disposed of or Intrusted all or any parte of my Estate thereby to secure the same to receive or Expect any proffitt or Advantage thereof So help me God.

It shall and may be Lawfull for the Sherriffe of Calvert County after the End of the said three months, And the said sherr. is hereby required to Discharge the said Peter Sawell out of Custody and to Suffer him to goe at Large. And be it further Enacted by the authority aforesaid by and with the Advice and Consent af<sup>d</sup> that upon the said Peter Sawells Complying with what is required of him by this Act that he the said Peter Sawell his heirs Executors or Administrators shall be by Vertue of this Act Acquitted Exonerated released and Discharged of and from all manner of Debts duties Claims and Demands Whatsoever that have been Contracted by him or have Arose due or become demandable from him at any time before the Sitting of this Generall Assembly and that in Case the said Peter shall after such his Compliance and Discharge as aforesaid be Again Arrested and sued for any such debts or duties as af<sup>d</sup> or that the said Sherriffe shall be sued for any Matter or thing required of him to be done by this Act that then the said Peter Sawell or the said sherriffe may Enter a Coñon appearance without Speciall bayle to any such accõn as shall be so brought against them or Either of them and plead thereto the Generall Issue and give this Act or the Exemplification thereof with the Speciall Matter thereon arising in Evidence and that in Case the plaintiffe shall be Nonsuit in such accõn the Defendant shall recover against him Double Costs of Suite any Law Statute useage or Custome to the Contrary Notwithstanding. And be it further Enacted by the Same Authority advice and Consent aforesaid that the Sherriffe of the same County of Calvert af<sup>d</sup> shall after such Surrender and Delivering up as aforesaid give Publick Notice at the Churches Court house and Mills in the said County of some precise Time by him the said Sherriffe and the said two Justices to be appointed for the Distribution of the said Peters Effects and Estate not Less than Twenty days after the time of the making the said Surrender and shall then and there in the presence of two such Justices as aforesaid and by their Advice and directions make distribution of the said Peters Estate so as aforesaid to be surrendered delivered up or Transferred amongst such of the said Peters Creditors only as shall then by themselves or their Lawfull attorney or Att<sup>ys</sup> think fitt to be present at such distribution by an Equall and proportionable distribution thereof to Every such Creditor with respect had and in proportion to the Largeness of his or her debt, The proceedings of the said Justices & Sherriffe in that behalfe to be Certified to the said Calvert County Court and

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 Acts shall require the Same without any fee to be paid for the same or for such Lodging thereof Saving the Right of his most Sacred Majesty his heirs and successors and of all bodies politick and Corporate. Provided Nevertheless that in Case the said Peter shall at any time after the Makeing such his Oath or Takeing such Test as af<sup>d</sup> be Convict of Willfull and Corrupt perjury thereupon or of a Willfull breach or Non Compliance with the Tenor of such Test that then  
 p. 329 the said Peter shall upon such Conviction be Adjudged to stand two hours in the Pillory and have his Left Ear Cut of and shall be wholly deprived of any the Benefitts Designd him by this Law and shall be from thenceforth Liable to be prosecuted for any debts or demands Whatsoever in the same manner as if this Act had Never been made any thing therein Contained to the Contrary Notwithstanding

Acts of 1716,  
 ch. 13 An Act Impowering the Surviving Executor of the last Will and Testament of Robert Smith Esquire late of Talbot County deceased to Sell Lands for the payment of his debts and to make over other lands according to the deceaseds Will which were sold by the deceased but Never made over by him.

Whereas Robert Smith Esquire late of Talbot County deceased on or about the last of January Anno Domini Seventeen hundred and six made his last will and testament in Writeing and amongst other things therein contained appointed his Debts to be paid and for payment thereof left one thousand acres of land to be sold and appointed Renatus Smith and Anthony Ivy Executors thereof as appears by the record of the said Will remaining in the Commissary Generalls office of this province and shortly after dyed which said Executors took upon them the burthen of the Administration of the deceaseds Estate and the Execution of the said Will and in pursuance thereof Caused the Estate of the said deceased to be Vallued and appraised according to Law the Totall whereof as per the Inventorys remaining Likewise in the aforesaid office amounted to one  
 p. 330 thousand & Sixty Seven pounds three shillings and three halfe pence which with the Value of the Land aforesaid left by the deceased to be sold (as tis Suggested to this present generall Assembly) he thought might be Sufficient to discharge his Debts But it is now represented by Renatus Smith the Surviving Executor (the other Executor being dead) that the whole personall Estate of the deceased together with the purchase mony of the af<sup>d</sup> Land was not near Sufficient to Satisfy the Creditors of the Testator and that he the said Renatus in Endeavouring to Comply with the Testators Will (as to the payment of his debts) has greatly Impoverisht his own Estate and Likewise has past his own obligations to Severall persons to

Satisfy and pay them their respective Claims against the deceased being due from him as Appears by bills bonds or other Instruments for the payment whereof he Obliged as Well his heirs Executors and Administrators as himselfe and for that the said Robert Smith Esquire dyed possessed of great Quantities of land in this province which Can in no Wise be Serviceable to his heir at Law they not being anyways Improved or Tenantable but Lye wholly uncultivated and no benefit arising there from to discharge the Yearly rent to his Lordship the Lord proprietary of this province so that before the heir who is Very Young arrives to full Age to possess them the Yearly rent aforesaid will Surmount the reall Value of the Lands Also for that Severall Devisees in the Will aforesaid mentioned of large tracts of Land live so remote Viz. in great Brittain that they Cannot be taken to satisfy such of the Testators debts as the Law would Oblige them to, were they within this province. The said Renatus Smith prays that he may be admitted and Empowered to Sell any of the Lands whereof the said Testator dyed possessed whether devised or not as well to Satisfie and pay his af<sup>d</sup> obligations so as aforesaid entred into he not being able to Comply therewith out of his proper Estate being reduced by his application of the Greatest parte thereof towards satisfaction of the Testators Creditors as to reimburse him what he has so paid over and Above the amount of the deceased's Estate with the purchase of the Land aforesaid being about Eleven hundred and nine pounds nineteen shillings and Six pence as appears by an Account thereof made up and past before the Commissary generall of this province and Remaining in his office which being thought Reasonable by this present generall Assembly tis humbly pray'd that it may be Enacted And be it Enacted by his Lordship the Lord Proprietary by and with the Advice and Consent of his Lordships Governour and upper and Lower houses of this Assembly and the Authority of the same that the said Renatus Smith by Vertue of this present Act shall and is hereby fully & Amply Authorized and Empowered to sell and Dispose of so much of the Lands whereof the said Robert Smith dyed possesse whether devised by his Will or not as will pay and Discharge the debts remaining due from the Testators Estate and Satisfy the said Renatus Smith what he has paid on account of the Deceased more than Effects Came to his hands to which use the said Renatus Smith is obliged to applye the purchase mony of the Lands he shall so Sell and to no other use whatsoever And make or cause to be made to any purchaser or purchasers of such Lands and their heirs forever a good Sure and Indefeazable Estate of Inheritance in fee Simple any Law Statute Useage or Custome to the Contrary Notwithstanding. Provided Nevertheless that the said Executor shall be and is hereby made Lyable to render his Account into the Commissary Generall's office of the purchase mony for all such lands by him

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Liber LL. 4 to be sold and that he shall be discharged therewith as assetts to the  
 Acts Estate of the said Robert Smith Esquire.

And whereas the said Robert Smith Esquire by his said Will appointed that what lands he had sold should be made over by his Executors aforesaid but the Will aforesaid appearing to be not so well Executed by the Testator as it ought by Law to give his said Executors Authority to make over the said Lands whereby many Valuable purchasers from the said Robert Smith are likely to be much dammified tis prayed that it may be Enacted And be it Enacted by the Authority Advice and Consent aforesaid that the af<sup>d</sup> Renatus Smith be and is hereby Authorized and required to make over such lands as were sold by the deceased in his Life time but not made over by him (according to the Intent of the deceaseds Will aforesaid to the severall persons who were actually purchasers thereof and paid the Consideration mony for the Same on their application to him and at their own proper Costs and Charges in as full and ample manner as if the said Will had been duly Executed any defect of the Execution of the said Will and the death of the other Executor or any Law Statute Useage or Custome to the Contrary Notwithstanding

Acts of 1716, An Act for Confirming three Small tracts of land Lying in Ann  
 ch. 15 Arundell County to Susannah Johnson her heirs and Assignes  
 p. 333 forever

p. 334 Whereas Samuell Dryer heretofore of Ann Arundell County planter on or about the Eighth day of January in the Year of our Lord God one thousand Seven hundred and twelve did by his last will and Testament remaining upon record in the Commissary Generalls office for probat of Wills in this province devised unto Susannah Dryer and her heirs for ever three small tracts of land which at the time of his death he stood Seised in fee called the Friends Choice Sheppards Range and Marsh his forrest lying in the County of Ann arundell and containing in the whole two hundred and Sixty acres more or less and shortly after dyed after which the said Samuells Will was proved in due forme of Law and the said Susannah some Short Time after Intermarried with a Certain John Raymond of Ann Arundell County planter and upon the Eighteenth day of May in the Year of our Lord God one thousand Seven hundred and thirteen by Indentures duly Executed between them the said John Raymond and Susannah his Wife of the one parte and John Ingram of Ann Arundell County Gent of the other the said John Raymond and Susannah his Wife for the Consideration of ten shillings therein Exprest did bargain Sell alienate Enfffeofe release and Confirm unto the said John Ingram his heirs and Assignes the aforesaid three tracts of Land and afterwards the said John Ingram did in due form of law Convey the same unto the aforesaid John Raymond his heirs and



Assignes who afterwards about the fifth day of March Seventeen hundred and thirteen falling sick made his last Will and Testament in Writing in the tennour following. In the name of God Amen I John Raymond being weak in body but still in sound and perfect memory I make this my last will and testament as followeth Itt I give and bequeath my Sole to my Lord and maker and my body to the Earth from whence it Came Itt I leave my beloved wife Susannah Raymond my full and whole Executrix of and Singular of my Estate personall and reall Lands and tenements whatsoever after my debts is paid as hear Interchangeably I set my hand and Seale this the fifth day of March 1713/14 Sealed and delivered in the presence of us Abraham Child Richard W Broadway his mark Marey § Holenshead her mark which said Recited Will wants apt Words to devise an Estate in fee Simple according to the true Intent and Meaning of the said John Raymond But for that Abraham Child of Ann arundell County planter one of the Subscribeing Wittnesses to the said last recited will and who Wrote the same being Called before this present Generall Assembly declared upon Oath that the said John Raymond did give the af<sup>d</sup> Lands to the said Susannah his then Wife and her heirs forever and Ordered his Will to be so Drawn but that he the said Abraham Child through Ignorance omitted to Express such the said Testators Intent all which appearing to this present Assembly it is therefore prayed that It may be Enacted and be it Enacted by the right hoible the Lord Proprietary by & with the advice and Consent of his Lordships Governour and the upper and Lower Houses of this generall Assembly and by the Authority of the same that the said Susannah now Called Susannah Johnson her heirs and assignes forever shall and may by Vertue of the said last recited Will and this present Act have hold and forever Enjoy according to the aforesaid John Raymond's true Intent and meaning a pure and absolute Estate in fee Simple of and in the aforesaid three tracts of land any Defect in the said John Raymonds Will for want of apt Words to make such Estate in fee to the said Susannah her heirs or Assignes or any Law Statute or Useage to the Contrary in any Wise Notwithstanding

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Acts

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An Act Empowering a Comittee to Lay Assess and Apportion the Publick Levy for this present Year Seventeen hundred and Sixteen

Acts of 1716.  
ch. 17  
p. 338

Whereas this present Generall Assembly have for the defraying the publick Charges of this province to the ninth day of August Anno Domini Seventeen hundred and Sixteen raised a Certaine Sume of tobacco and mony amounting to three hundred Sixty Six thousand four hundred and forty six pounds of tobacco and two hundred and ninety Six pounds ten Shillings and Six pence Currant mony but by reason more publick Charges may arise and grow due

Liber LL, 4 before the usuall and accustomed time of payment which is the  
 Acts tenth of October Yearly at which time to Call and Convene the whole  
 Assembly for that Occasion only Considering the great number of  
 them and the remoteness of their habitations from the place appointed  
 would be Very Chargeable and troublesome to the whole province in  
 Generall for prevention whereof. Be it Enacted by the right honour-  
 able the Lord proprietary by and with the advice and Consent of his  
 Lordships Governour and the upper and Lower houses of Assembly  
 and by the Authority of the same that the honourable Colonel Wil-  
 liam Holland L<sup>t</sup> Colonel Samuel Young Colonel Thomas Addison  
 and Philemon Lloyd Esquire of his Lordships honourable Council  
 and Colonel Mathew Tilghman Ward Captain Thomas Trueman  
 Greenfield Colonel Nath<sup>l</sup> Hynson Cap<sup>t</sup> Daniel Mariarte Co<sup>l</sup> John  
 Mackall Co<sup>l</sup> James Maxwell Cap<sup>t</sup> Thomas Dent Master Thomas  
 Dashiel Master Tobias Pollard Co<sup>l</sup> John Ward Master Robert Tyler  
 and Master Charles Wright of the Lower house of Assembly or the  
 Major part of them be and Appeare at the City of Annapolis the first  
 Tuesday of October next then and there to lay and Assess the publick  
 p. 339 levy already raised and also to allow levy and Assess what farther  
 charge may accrue which to them shall Justly appear to be due from  
 the publick not Exceeding one hundred thousand pounds of to-  
 bacco and three hundred and fifty pounds Sterl or the Vallue  
 thereof in curant money more then what is already raised and  
 Likewise to apportion order and pay out of the publick Treasury  
 of this province the Sume of two hundred Ninty six pounds ten  
 Shillings and Six pence Currant mony of this province to the sev-  
 erall persons to whome the same shall be due as by the Journall of  
 the Committee of accounts appears and a fair Journall of all their  
 proceedings to be delivered to the Clerk of the Assembly for Satis-  
 faction of all persons therewith concerned by the fourth tuesday of  
 October next.

Acts of 1716. An Act to make firm and Valid in Law a Sale of Land made by  
 ch. 18 Joseph Bridger Esq<sup>r</sup> late of the Collony of Virginia deced to  
 Thomas Jones of Somerset County deceased.

Whereas it appears to this present Generall Assembly that Joseph  
 Bridger late of the Isle of Wight County in the Colony of Virginia  
 deceased and Hester his Wife for the Consideration of Eighty  
 pounds Sterling to them in hand Paid by Thomas Jones late of  
 Somersett County deceased did on or about the Year of our Lord  
 God one thousand Six hundred Eighty and five agree to sell to the  
 said Thomas Jones his heirs and Assignes forever a Certaine tract  
 of land lying in the said County Called Bridgers lot Containing  
 Eleven hundred acres and in order thereunto he the said Joseph  
 Bridger in his Life time did Signe Seal and Execute a Certaine deed  
 poll which follows in these Words. This Indenture made the

Seventeenth of July in the Year of our Lord one thousand Six hundred and Eighty five Between Joseph Bridger of the Isle of Weight County in Virginia Esq<sup>r</sup> and Hester his Wife of the one party and Thomas Jones of the County of Somersett in the province of Maryland Merchant of the other party

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Acts  
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Witnesseeth that Whereas the right honourable Cecilius absolute Lord and proprietary of the provinces of Maryland and Avalon Lord Baron of Baltimore Did in the Two and fortieth Year of his Dominion over the said Province and in the Year of our Lord one thousand Six hundred Seventy and three by his deed of grant under the great Seale used in the said province of Maryland for granting of lands there bearing date at the City of S<sup>t</sup> Maries the first day of August in the two and fortieth Year of his Dominion aforesaid and in the Year of our Lord one thousand Six hundred and Seventy three Give and grant to the aforesaid Joseph Bridger Eleven hundred Acres of Land being and Lying in a river Called Monokine in the County of Sommerset in the province of Maryland and in the said grant Called Bridgers lott relacōn whereto being had may more at large appear Now this Indenture further Wittnesseeth that the aforesaid Joseph Bridger and Hester his Wife for and in Consideration of four score pounds of Lawfull money of England to them in hand secured by bonds given for the payment of the same p the said Thomas Jones whereof and wherewith the said Joseph Bridger and hester his Wife the said Sume being paid according to the bonds Doth Acknowledge themselves fully and Wholly satisfied and paid Have bargained Sold Enfeoffed and Confirmed unto the said Thomas Jones his heirs and Assignes forever All that aforesaid grant of Eleven hundred acres of land Called Bridgers Lot Lying in Manokin River in Somerset County in the province of Maryland af<sup>d</sup> in as full and Ample manner to all Intents and purposes as the said Joseph Bridger and Hester his Wife may or can hold the same by Vertue of the said deed of grant aforesaid and the said Joseph Bridger and Hester his Wife doe for themselves their heirs Executors &c<sup>a</sup> and Every of them Covenant promise and grant to and with the said Tho<sup>s</sup> Jones his heirs Etcetera That he and they shall peaceably have hold and Enjoy the said Deed of grant aforesaid free from the Claime or molestation of him the said Joseph Bridger and Hester his Wife or any other person or persons Lawfully Claiming by from or under him the said Joseph Bridger and Hester his Wife or Either of them In Witness whereof the said Joseph Bridger and Hester his Wife have hereunto set their hand and Seales the day and Year first above Written &c<sup>a</sup> I Joseph Bridger do hereby Ingage myselfe my heirs &c that a Deed according to this draught shall be Signed and Sealed and Acknowledged in Court according to the custome of the Collony of Virginia by me and my Wife and that I will acknowledge the same before the Governour and that he may attest it Wittness my hand and Seale

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Liber LL, 4 this Seventeenth of July one thousand Six hundred and Eighty five  
 Acts Joseph Bridger Wittness James Bennett Robert Pitt on which said  
 deed poll or Instrument is thus Endorst Viz. Memorandu that this  
 day Viz. the Twenty Ninth day of July Anno Dom one Thousand  
 Six hundred and ninety five the within mencōned Robert Pitt made  
 Oath before me that he saw the within mencōned, Seale, Sign and  
 Deliver the within menconed Indenture as his Act and Deed John  
 King. And Whereas it Likewise appears to this present Generall  
 Assembly that the said Joseph Bridger in his Life time being Willing  
 and desireous to performe what he by the said recited deed did  
 promise and agree to doe and Well and duly in due forme of Law  
 to assure and Convey the af<sup>d</sup> Tract of Land Called Bridgers Lott  
 unto the said Thomas Jones his heirs and Assignes forever accord-  
 ing to the true Intent and meaning of the agreement aforesaid  
 between the said Joseph Bridger and Hester his Wife and the afore-  
 said Thomas Jones so as aforesaid made and the true Intent and  
 meaning of the said recited Deed, well remembring that he had  
 received of the af<sup>d</sup> Thomas Jones before that Time the sume of  
 Eighty pounds Sterling the purchase mony of the said Land did  
 order and direct a deed of bargain and Sale mencōned to beare date  
 the Third day of July in the Year of our Lord God one thousand  
 Six hundred Eighty and Six to be made & prepared whereby he  
 Designed and Intended to Convey the af<sup>d</sup> Tract of Land Called  
 Bridgers Lot with the appurtenances unto the af<sup>d</sup> Thos Jones his  
 heirs and Assignes forever with warranty against him the said  
 Joseph Bridger his heirs and Assignes forever and all persons Claim-  
 ing by from or under him or them or any other person or psons  
 Whatsoever which said tract of Land is bounded and scituate in  
 manner and forme following Viz. Beginning at a markt white  
 Oake standing on a point of Land Called Tradeing point thence with  
 a line drawn North East for breadth up the River Manokin three  
 hundred perches to a markt hiccory Standing on a high bank on the  
 South West of a branch Called Kings branch thence with a line  
 p. 342 drawn East for Length into the woods five hundred thirty three  
 perches and one third parte of a perch to a marked Pine Standing  
 in a Swamp thence with a line Drawn South West three hundred  
 perches to a markt pine standing in a Valley and from thence with  
 a line drawn West one hundred and Eighty perches to a markt Oake  
 Standing on the North Side of a branch near the head by a Horse  
 bridge in the road to a river Called Wiccocomo thence with a line  
 drawn West South West Seventy five perches to a marked Gumm  
 Standing in a Small Marsh by a Branch and from thence with a Line  
 drawn West Sixty perches to a marked white oake then with a line  
 drawn west and by North fifty Eight perches to a marked Oake  
 standing opposite to the landing of Henry Smith thence with a line  
 drawn West South west Ninety perches to a marked pine thence with



a line drawn North West and by North thirty Two perches to a marked Red Oake thence with a line drawn North west and by West forty perches to a marked White Oake standing on the Edge of a bank by tradeing branch near the mouth thence with a right Line drawn to the first boulder Containing one thousand and one hundred acres more or less but before he the said Joseph Bridger Could Execute the said Deed according to the Exigence of the Law in that Case made and provided, It pleased God he dyed that is to say on or about the tenth day of June Sixteen hundred Eighty Six as appears by the said Intended deed and Testimonials of the said facts remaining of record in the Secretary's office of this province in a provinciall book W. R. C. pages 441, 442, 443 and 444. And whereas also it appears to this Generall Assembly that the said Thomas Jones in his Lifetime that is to say on the twenty Seventh day of September one thousand Six hundred and Eighty Seven did pay unto the right honourable Charles Absolute Lord and proprietary of this province of Maryland late deceased one hundred and forty four pounds of Tobacco for the fine of the Alienation of the said Land, and that the said Thomas Jones believing he had a fee Simple in the said Lands by his last will and Testament bearing date the fifth day of Aprill one thousand Seven hundred Did give and bequeath the af<sup>d</sup> tract of Land Called Bridgers lott to his Son William Jones and Sarah Jones his Daughter in these Words following, that is to say, thirdly my Land Called Bridgers Lott I give between my Daughter Sarah & my son William to have the west side of the horse road to the head of a southernmost Side of a small Branch Called the Middle branch my Daughter to have the Easternmost Side of the said Horse road with the remaining part Nevertheless it is my Will that my son William may have free Liberty for any Timber for his own use all this to be as af<sup>d</sup> to them and their heirs begotten as af<sup>d</sup> forever, In Order to Supply the Defects in the said Sale made or Intended to be made by the said Joseph Bridger to the said Thomas Jones his heirs and Assignes of the af<sup>d</sup> Land Called Bridgers Lot with the appurtenances as fully and amply to all Intents as if the said Intended deed of Bargain and Sale had been duely Executed acknowledged & recorded as by the Laws of this province is required and to the End Intent and purpose that the af<sup>d</sup> William and Sarah may have such an Estate therein as he the said Thomas Jones by his said Will Intended to devise unto them Notwithstanding any deed or deeds or other Instruments in Writeing Executed made done Suffered or acknowledged by the said Joseph Bridger in his Lifetime or his heirs or Assignes or any other person or persons Claiming by from or under him them or any of them Executed or taking Effect in Law Since the Seventeenth day of July in the Year of our Lord God one thousand Six hundred and Eighty five It is humbly prayed that it may be Enacted And be it enacted by the Right honourable the Lord

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proprietarie by and with the Advice and Consent of his Lordship Governour and the Upper and Lower houses of this present Generall Assembly and the Authority of the same that the said William Jones the son of the said Thomas Jones and the said Sarah the daughter of the said Thomas Jones and the heirs from their Severall Bodys Lawfully Issuing forever shall and may have and Enjoy such an Estate in the said Tract of Land in the said Bridgers Lot Containing Eleven hundred acres as he the said Thomas Jones by his Last Will and Testament devised unto them in as full Ample and beneficiall manner as if the said Intended deed of Bargaine and Sale had been Executed by the said Joseph Bridger before his Death and the same had been in due form of Law acknowledged and recorded, any Imperfection in the Conveyance of the said tract of Land by the said Joseph Bridger to the said Thomas Jones, or any other Subsequent Conveyance or other Assureance thereof or of any parte thereof made by the said Joseph Bridger his heirs or Assignes or any other person or persons Claiming by from or under him them or any or Either of them to any person or persons whatsoever or any Law Statute or useage to the Contrary Notwithstanding

Acts of 1716,  
 ch. 3  
 p. 355  
 [Other Acts  
 passed at  
 this Session  
 are printed  
 in Vols. 33  
 and 36 of the  
 Archives]

An Act for the releife of George Walls a Languishing Prisoner in Charles County

Whereas George Walls a Languishing Prisoner in Charles County has by his humble petition to the Generall Assembly of this province set forth that he has Continued in the Custody of the sherr. of the said County for near the space of two years past and still Continues in the Like Deporable Circumstances (not being able to redeem his body with all the Estate or Interest he has in the world which he is willing to Surrender and part with his Creditors) and unless Relieved by a Particular Act of this Generall Assembly to be passed in his favour (which by his said pet<sup>n</sup> he hath humbly pray'd for) he feares he shall Continue a prisoner for Life And by that meanes his wife and Children may become a burthen to the County, and for that the truth of the said George Walls his Allegations are made Appeare to this present Generall Assembly by Sufficient Testimony And also that the said George has, not fallen under such Circumstances by any Idleness or Extravagancy of his Own haveing been always a paines takeing Industrious planter But meerly by his Losses at Sea and the Extreame decay of the Tobacco Trade And also that the said George is a person of an honest Sober Conversation And therefore for that the said George and his family are Thought fitt Objects of Charity and that his Lying in Goal Can be no Benefitt to his Creditors Though it may prove a Ruin to himselfe and Burthen to the County. It is prayed that he may be Relieved, according to his petition and that it may be Enacted. And be it Enacted by the Right honñble the Lord Proprietarie by and with the Advice and Consent of

his Lordships Governour and the upper and Lower Houses of Assembly And by the authority of the same that in Case the said George shall Deliver up or Cause to be delivered up to the Sherr of the said County in the presence of Two Justices of the peace in the said County whome the said Sherriffe is hereby required to Summons on the request of the said George at the said George his now Dwelling plantation at some Convenient Time within three months after the End of this present Session of Assembly all his reall and psonall Estate Either in possession Reversion remainder or In trust or In or unto which he hath any Claime or Interest whatsoever and do within the time af<sup>d</sup> Convey assigne Transfer and make over unto the said Sherriffe of Charles County for the use of the said Creditors all such his Estate Interest or Claimes af<sup>d</sup> after such manner as by the said Sherriffe and the Major part of the Creditors of the said George or of such of them as shall think fitt to direct therein or his or their Councill Learned in the Law shall be reasonably devised or required at the Cost and Charge of such persons as shall Claime the benefitt thereof so as the said George be not burthened with any Warrantees thereby other than from himselfe and those that Claime by from or under him And that the said George at the time of such his Surrender and Transferring his Estate as af<sup>d</sup> shall take his Sollemn Oath or Test before the said Two Justices so to be summoned as af<sup>d</sup> to the Effectt fo<sup>ll</sup> Viz. I George Walls do Sollemnly Swear that the goods debts and Effects which I have Delivered Assigned and made over to the sherriffe of Charles County in trust for the use of my Creditors is the whole Estate both real and personall of my Own in Possession or have any title to in the world and that I have not any Estate goods or Effectts of any kind whatsoever Left Either in possession reversion or Remainder the necessary Wearing apparell for myselfe wife and Children Excepted and that I have not Directly nor Indirectly sold Leased or otherwise Conveyed disposed of or Intrusted all or any part of my Estate thereby to Secure the same to receive or Expect any profitte or Advantage thereof so help me God It shall and may be Lawfull for the Sherriffe of Charles County And the said Sherriffe is hereby required (upon his the said Georges Complying with what is required of him by this Act) to discharge the said George out of his Custody and to Suffer him to go at Large. And be it Further Enacted by the authority af<sup>d</sup> by and with the advice and Consent af<sup>d</sup> that upon the said George his Complyance as af<sup>d</sup> he the said George his heirs Ex<sup>rs</sup> and Administrators shall be by Vertue of this Act Acquitted Exonerated and Discharged of and from all manner of Debts Dutys Claimes and Demands Whatsoever that have been Contracted by him or have arose due or become demandable from him at any time before the Sitting of this present Session of Assembly And that in Case the said George after Such his Complyance and discharge as af<sup>d</sup>

Liber LL, 4  
Acts  
p. 356

p. 357

Liber LL, 4 shall againe be arrested or sued for any such debts or dutys as af<sup>d</sup> or  
 Acts that the said Sherr. shall be sued for any matter or thing required  
 of him to be done by this Act that then the said George or the said  
 Sherr may Enter a Comon Appearance without Speciall bayle to any  
 such accōn as shall be brought against them or any of them and  
 plead thereto the Generall Issue and give this act or the Exemplifica-  
 tion thereof with the Speciall matter thereon arising in Evidence,  
 and that in Case the Plf<sup>t</sup> shall be Nonsuit in such accōn the def<sup>t</sup>  
 shall recover against him double Costs of Suite any Law Statute Use-  
 age or Custome to the Contrary Notwithstanding. And be it further  
 Enacted by the Authority Advice and Consent af<sup>d</sup> that the Sher-  
 riffe of the same County shall after such Surrendry and Delivering  
 up as af<sup>d</sup> Give publick Notice at the Churches Court house & Mills  
 in the said County of some precise time by the said Sherrieff and the  
 said two Justices to be appointed for the distribution of the said  
 George his Effects and Estate not Less than Twenty days after the  
 making the said Surrender and shall then and there in the presence  
 of two such Justices as af<sup>d</sup> and by their Advice and Direction make  
 Distribution of the said George his Estate so as af<sup>d</sup> to be Surrendred  
 delivered up or Transferred among such of the said George his  
 Creditors only as shall then by themselves or their Lawfull att<sup>vy</sup> or  
 Att<sup>rys</sup> think fitt to be present at such Distribution by an Equall and  
 proportionable Distribution thereof to Every such Creditor with  
 respect had and in proportion to the Largeness of his her or their  
 debt the proceeding of such Justices and Sherriffes in that behalfe  
 to be Certified to the same Charles County Court and there Lodged  
 for the perusall of all or any of the said George his Creditors that  
 shall require the same without any fee for the same or for the  
 Lodging thereof Saveing the right of the Lord proprietor his heirs,  
 and Successors and of all bodies Politick or Corporate Provided  
 Nevertheless that in Case the said George shall at any time after  
 the making such his Oath or takeing such Test af<sup>d</sup> be Convict of  
 Willfull or Corrupt Perjury or of a Willfull Breach or non Comply-  
 ance with the Term of such Test that then the said George upon  
 conviction shall be Adjudged to Stand two hours in the Pillory and  
 have his Left Ear Cut off and shall be wholly deprived of any the  
 p. 358 benefitts design'd him by this Law and shall from thenceforth be  
 Lyable to be prosecuted for any debts or demands Whatsoever in the  
 same manner as if this Act had never been made any thing herein  
 Contained to the Contrary Notwithstanding.

Acts of 1717, An Act Impowering a Comittee to Lay Assess & apportion the Pub-  
 ch. 5 lick Levy for this present Year Seventeen hundred and Seven-  
 p. 359 teen.

Whereas this present Generall Assembly have for the Defraying  
 the Publick Charge of this province to the Eighth day of June Instant



raised a Certaine Summe of tobacco & mony amounting to the summe of one hundred Seventy Seven thousand Nine hundred and thirty six pounds of tobacco and twenty five pounds Eighteen Shillings and Six pence Current money But by reason more publick Charges may arise and grow due before the usuall and accustomed time of paym<sup>t</sup> which is the tenth day of Novemb<sup>r</sup> Yearly at which time againe to Call and Convene the whole Assembly for that Occasion only Considering the great Number of them and the remoteness of their habitations from the place Appointed would be Very Chargeable and troublesome to the whole province in Gen<sup>l</sup> for prevention whereof. Be it Enacted by the Right Hon<sup>ble</sup> the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the upper and Lower houses of this present Generall Assembly and the Authority of the same that the Hon<sup>ble</sup> Samuel Young, Thomas Addison Phil Lloyd and Richard Tilghman Esq<sup>rs</sup> of his Lordships Hon<sup>ble</sup> upper house of Assembly and Co<sup>t</sup> Mathew Tilghman Ward Cap<sup>t</sup> Thomas Truman Greenfield Coll Nathaniel Hynson Capt. Dan<sup>l</sup> Mariarte Coll John Mackall Co<sup>t</sup> James Maxwell Cap<sup>t</sup> Thomas Dent M<sup>r</sup> Samuel Hopkins Capt. Tobias Pollard Co<sup>t</sup> John Ward M<sup>r</sup> Robert Tyler and M<sup>r</sup> Charles Wright of the Hon<sup>ble</sup> the Lower house of Assembly or the Major Part of them be and Appeare at the City of Annapolis on the first Tuesday of Octob<sup>r</sup> next then & there to Lay and Assess the said Publick Levy already raised and also to Allow Levy and Assess what further Charge may Accrue which to them shall Justly Appeare to be due from the Publick not Exceeding one hundred thousand pounds of tobacco and three hundred pounds Sterl or the Vallue thereof in Currant mony more than what is already raised and Likewise to Apportion order and pay out of the Publick Treasury of this province the summe of twenty five pounds Eighteen Shillings and Six pence Currant mony of this province to the severall persons to whome the same shall be due as by the Journall of the Comitte of Accounts appeares and a fair Journall of all their proceedings to be delivered to the Clerk of the Assembly for satisfaction of all p<sup>rs</sup>ons therewith Concerned by the tenth day of November next And if it shall happen that his Excellency shall please to Convene an Assembly before the said first Tuesday of October af<sup>d</sup> then this present Act and Every Clause therein Contained shall be Void and of no Force

Liber LL, 4  
Acts

P. 360

A Supplementary Act to the Act for Ascertaining the bounds of Land within this p<sup>vin</sup>ce

Acts of 1717,  
ch. 9  
p. 372

Whereas an Act of Assembly of this province Intituled An Act for Ascertaining the bounds of Land within this province hath been found to be of great use and Generall Ease to such parts of Its Inhabitants as have had Occasion to make use of the same But forasmuch as Its defects could not be observed before the same was put

Liber LL, 4 in practice Some of which now Appearing For remedy whereof Its  
 Acts prayd that it may be Enacted And be it Enacted by the Right Hon-  
 ourable the Lord Prop<sup>r</sup> by and with the Advice and Consent of his  
 p. 373 Lordships Governour and the Upper and Lower houses of Assembly  
 and the Authority of the same that when Ever differences shall Arise  
 between any of the Inhabitants of this province Touching the bounds  
 of their Lands and that if it shall so happen that Either the Com-  
 plainant or Defendant shall be related to the Major part of the  
 Comss<sup>rs</sup> Appointed in any County or have any Estate or Claime of  
 in or unto any Lands Contiguous to the Lands in Dispute It shall  
 and may be Lawfull for the Remainder of such comiss<sup>rs</sup> which are  
 Qualified To nominate appoint and Choose one or two good and  
 Lawfull freeholders (as the case shall require) dwelling in the said  
 County who after takeing the usuall oaths shall be Legally Quallified  
 to act with the remaining Commissioners in all such disputes (and  
 no other in as ample and Effectuall manners as any Comiss<sup>rs</sup> what-  
 soever and shall Demand and receive the same Rewards for their  
 Trouble.

And Whereas the provision in the af<sup>d</sup> Act For the Comiss<sup>rs</sup>  
 already appointed or hereafter to be appointed for Ascertainning the  
 bounds of Land in Each county seems to Admitt of a dispute in  
 respect of their Allowance p day To prevent which for the future  
 And to Explain such Ambiguous Expressions Be it Enacted by the  
 Authority af<sup>d</sup> By and with the Advice and consent af<sup>d</sup> That Each  
 and Every such Comiss<sup>rs</sup> already Appointed or hereafter to be Ap-  
 pointed for Ascertainning the bounds of Land in Each Respective  
 County be allowed the sum of one hundred pounds of tobacco for  
 Each day they already have or hereafter shall Serve as Comss<sup>rs</sup> and  
 no more

And forasmuch as by the before recited Act no provision is made  
 for Comss<sup>rs</sup> of review Be it Enacted by and with the Authority  
 Advice and Consent aforesaid That there be allow'd to Each  
 Comiss<sup>r</sup> of Review, the sum of One hundred pounds of Tobacco for  
 Each day, he shall serve, and attend and no more, to be paid by such  
 of the Contending partys as the said Comiss<sup>rs</sup> shall Adjudge.

Acts of 1717, An Act Impowering John Oldham of Talbot County Gentleman to  
 ch. 11 Erect and Build a Wind Mill in the Town and port of Oxford on  
 p. 375 the Town point in Talbot County.

Whereas the said John Oldham Together with severall others  
 Inhabitants at Oxford in talbot county have humbly petitioned this  
 present Gen<sup>l</sup> Assembly that forasmuch as the building a Windmill  
 in the Town and port of oxford on the town point it being on the  
 Strand within the bounds in the Town aforesaid, would be Con-  
 venient for the Inhabitants thereof and all others Adjoyning they  
 humbly prayd Liberty to bring in a Bill to Enable the said John

Oldham to Erect and build the said Wind Mill on the place af<sup>d</sup> and to Invest so much Ground on him as might reasonably Serve for the said Mill and room for the Tayle Tree, all which this present Generall Assembly have thought fitt and reasonable to Condescend to. Liber LL, 4  
Acts

Be it therefore Enacted by the Right Hon<sup>ble</sup> the Lord Proprietary by and with the Advice and Consent of his Lordships Governour and the upper & Lower houses of Assembly and the Authority of the same that from and after the End of this present Session of Assembly It shall and may be Lawfull for the said John Oldham to Erect and build a Wind Mill on the town point in Oxford in Talbot County on the Strand of the said town to and for the proper use of the said John Oldham his heirs and Assignes forever. p. 376

An Act for the better Security of Mary Smithson Widdow & Executrix of the Last will and Testament of Co<sup>t</sup> Tho<sup>s</sup> Smithson in the payment of a debt due from the said Co<sup>t</sup> Smithson's Estate to the free schooles of Maryland Acts of 1717,  
ch. 12

Whereas Co<sup>t</sup> Thomas Smithson late publick Treasurer on the Eastern shoare of this province at the time of his death stood Indebted to the rectors Gov<sup>rs</sup> and Visitors of the Free Schooles of Maryland in the Sume of one hund<sup>d</sup> and Ninety Seven pounds four shill. and one penny for publiq money's allow'd in his hands by the Generall Assembly and Paid by the Navall Officers upon their respective accounts of the Imposition of Porke Furs &c<sup>a</sup> to the use of the free schooles, and for that Mary Smithson the widdow and Executrix of the said Co<sup>t</sup> Thomas Smithson declares that she has Sufficient of his Estate wherewith to Satisfie and pay the af<sup>d</sup> sume of mony to the said rectors Governours and Visitors af<sup>d</sup> and is willing and ready soe to do. Provided she might be Indemnified against other Claimes ag<sup>t</sup> her deceased husbands Estate which may hereafter appear to be of an higher nature. This present generall Assembly taking the premises into their Serious Consideration and Especially that the af<sup>d</sup> demand of the said rectors Governours and Visitors is for publick money received by a publick treasurer who ought to have given Security for his due accounting for and payment thereof which he neglected to do pray that it may be Enacted.

And be it Enacted by the Right Honourable the Lord Proprietarie by and with the Advice and Consent of his Lordships Governour the Upper and Lower houses of Assembly & the Authority of the Same that the af<sup>d</sup> debt of one hundred ninety Seven pounds four Shillings & one penny Currant mony of this province so due from the said Col Smithson's Estate to the Free Schooles shall at all times hereafter by Vertue of this act be adjudged and before all Judges and in all courts within this province be Deemed and taken as a Debt of as high a Nature as any other debt or demand whatsoever due p. 377

Liber LL, 4 from or to be demanded off the said Col Smithson's Estate (Debts  
 Acts Due therefrom to our Sovereigne Lord the king or the right Hon<sup>ble</sup>  
 the Lord Prop<sup>ty</sup> of this Province only Excepted and reserved) And  
 that the s<sup>d</sup> Mary Smithson his relick & Ex<sup>x</sup> shall at all times hereafter  
 to come by Vertue of this Act be Justified Saved and Indemnified  
 for or by reason of & in the payment of the same debt to the rectors  
 Governours and Visitors af<sup>d</sup> ag<sup>t</sup> all persons whatsoever Saveing &  
 Excepting as af<sup>d</sup> any Law Statute useage or Custome to the contrary  
 Notwithstanding.

Acts of 1718, An Act for Qualifying John Steel of the City of Annapolis Esq<sup>r</sup>  
 ch. 3 to hold Offices within this Province.  
 p. 386

[Other Acts Whereas John Steel of the City of Annapolis Esq<sup>r</sup> hath Served  
 passed at his Most Sacred Majesty and the Crown of Great Brittain for Sev-  
 this Session erall Years in the Revenue and hath been recommended to his Excel-  
 are printed lency John Hart Esq<sup>r</sup> our Present Governour by Gent<sup>n</sup> of worth and  
 in Vols. 33 Honour who by their Stations under his most Sacred Majesty are in  
 and 36 of the a Capacity of doing particular Services to this province upon any  
 Archives] emergency, and for that the said John Steel Esq<sup>r</sup> hath petitioned this  
 Present Generall Assembly, that for as much as by the Act of As-  
 sembly of this province for Advancement of the Natives and Resi-  
 dents of this Province he is not Capable of any office or place of  
 trust therein not having been three years in this Province he may  
 have leave to bring in a bill to qualifye him in this part and for as  
 much as the s<sup>d</sup> John Steel Esq<sup>r</sup> is known to be a person of worth it  
 is humbly prayed that it may be Enacted And

Be it Enacted by the Right Hon<sup>ble</sup> the Lord Proprietary by and  
 with the Advice and Consent of his Lordships Governour and the  
 Uper and Lower houses of Assembly and the Authority of the same,  
 That the said John Steel Esq<sup>r</sup> be and is hereby made as Capable of  
 Executing holding or Enjoying any Office or place of Trust within  
 this province to all intents and purposes as if he had been an  
 Actuall resident within this province for above the term of three  
 Years last past Any Act of Assembly heretofore made to the Contrary  
 Notwithstanding

Acts of 1718, An Act Impowering a Committee to Lay assess and Apportion the  
 ch. 6 Publick Levy for this Present Year One thousand Seven hundred  
 p. 388 and Eighteen

Whereas this Present Gen<sup>l</sup> Assembly have for the Defraying the  
 Publick Charge of this province to the Eight day of May Instant  
 raised a Certain Sum of Tobacco and mony amounting to the Sum  
 of Two hundred and fourteen thousand Six hundred and Seventy  
 Six pounds of Tobacco and Eighty pounds and Two Pence Curr<sup>t</sup>  
 mony But by Reason more Publick Charges may arise and Grow  
 due before the Usual and Accustomed time of payment which is



the tenth day of Novem<sup>r</sup> Yearly at which time again to Call and Convene the whole Assembly for that Occasion only Considering the Great Number of them and the Remoteness of their Habitations from the place Appointed would be Very Chargeable and Troublesome to the whole Province in Generall for Prevention whereof.

Be it Enacted by the R<sup>t</sup> Hon<sup>ble</sup> the Lord Prop<sup>ry</sup> by and with the Advice and Consent of his Lordships Governour and the upper and Lower houses of this present Generall Assembly and the Authority of the same that the Hon<sup>ble</sup> Col<sup>t</sup> W<sup>m</sup> Holland, Col<sup>t</sup> Samuel Young Co<sup>l</sup> Thomas Addison & Coll<sup>t</sup> Richard Tilghman of his L<sup>d</sup>ships Hon<sup>ble</sup> Uper house of Assembly, and the Hon<sup>ble</sup> Col<sup>t</sup> Matthew Tilghman Ward Cap<sup>t</sup> Thomas Trueman Greenfield Col<sup>t</sup> Nathan<sup>t</sup> Hynson Cap<sup>t</sup> Daniel Mariartee Col<sup>t</sup> John Mackall Coll. James Maxwell Cap<sup>t</sup> Tho<sup>s</sup> Dent M<sup>r</sup> Samuel Hopkins Cap<sup>t</sup> Tobias Pollard Cap<sup>t</sup> James Grisby M<sup>r</sup> Robert Tyler and M<sup>r</sup> Charles Wright of the Hon<sup>ble</sup> the Lower house of Assembly or the Major part of them be and Appear at the City of Annapolis on the first Tuesday in October next then and there to lay & Assess the said publick Levy Already raised and also to Allow Levey & Assess what further Charge may Accrue, which to them shall justly Appear to be due from the Publick not Exceeding One hundred and fifty thousand pounds of Tobacco & Six hundred pounds Sterl or the Value thereof in Curr<sup>t</sup> mony more then what is already raised and Likewise to Apportion Order and Pay out of the Publick Treasury of this province the Sume of Eighty Pounds and two Pence Curr<sup>t</sup> mony of this Province to the Severall persons to whom the same shall be due as by the Journall of the Committee of Accounts Appears and a fair Journall of all their Proceedings to be Delivered to the Clerk of Assembly for Satisfaction of all persons therewith Concerned by the tenth day of Nov<sup>r</sup> next, And if it shall happen that his Excellency shall please to Convene an Assembly before the said first Tuesday in October af<sup>d</sup> then this present Act and Every Clause therein Contained shall be void and of no force

Liber LL, 4  
Acts  
p. 389

An Act for the Relief of Severall Poor Prisoners therein  
Mencōned

Acts of 1718,  
ch. 7  
p. 390

Whereas Esther Oldfield, Esther Smith, Dominick Kenslagh and Mary Creagh Prisoners in the Custody of the Sherriffe of Ann arundel County have by their Severall humble Petitions to this present Generall Assembly sett fourth that they have Continued a long time in Goale for the Paym<sup>t</sup> of Divers fees and Costs of Suite, and that they have nothing in the world wherewith to Satisfie the same, so that unless some relief be provided for them by an Act to be past in their favour they must undoubtedly Continue Prisoners for Life And for that this Present Generall Assembly are Satisfied

Liber LL, 4 with the truth of the Premises It's humbly Prayed that it may be  
 Acts Enacted And

Be it Enacted by the R<sup>t</sup> Hon<sup>ble</sup> the Lord Proprietarie by and with the Advice and Consent of his Lordships Governour and the uper and Lower houses of his Assembly and the Authority of the same That the said Severall Prisoners be and are hereby Discharged released and Acquitted from all manner of Fees Debts or Duties wherein they stood Engaged to any persons whatsoever before the making this Act and from their Severall Imprisonm<sup>t</sup> by Occasion thereof any Law Statute Usage or Custom to the Contrary notwithstanding.

Acts of 1718, An Act Declareing the Rights of three Lotts Originally Layd out in  
 ch. 8 Annapolis for the Uses therein Mencōned.

Whereas the Rector Vestry and Church Wardens of S<sup>t</sup> Anns Parish have set fourth by their Humble Petition to this Present Generall Assembly, that by an Act of Assembly of this province for Erecting the town and port of Annapolis and the town and port of  
 p. 391 Oxford into Towns and Ports, the Commission<sup>rs</sup> then Impowered to Lay out the s<sup>d</sup> Towns did Lay out three Lotts in the Town and port of Annapolis for the Benefitt and Advantage of the Rector, for the time being, and other persons named by them (that is to Say) One Lot for the Reverend the Rector or Vicar or Lecturer of the port of Annapolis One other for the Clerk of the Parish and Sexton for the time being, And the third for the Clerk of the Vestry and M<sup>r</sup> Co<sup>m</sup>missarys Clerk for the time being, Each of them bounded and Lying as p the three Severall Certificates Remaining in the Records of the said Town Reference being thereto had may more at Large Appear That soon after the Laying out the s<sup>d</sup> Lotts there was built an house upon one of them for the use of the Vestry of the said Parish, which house and Lot upon the petition and Application of the Rev<sup>d</sup> M<sup>r</sup> James Wotton late Rector of the said Parish was annexed to the Parsons Lot for the Reception And Accomodation of a Minister for Ever as by an Ordinance made for the Same Appears in the Journall of the Lower house of Assembly April 9<sup>th</sup> 1706 that the s<sup>d</sup> Lotts so Annexed by the said Ordinance of Assembly and the Others aforementioned have Ever since been peaceably possess'd without Molestation and Deem'd to belong to the Rector of this parish for the time being, Excepting only that part of the Ministers Lot whereon the Prison is now built untill John Gresham Esq<sup>r</sup> had made an Entry on two of the said Lotts (Viz) that Laid out for the Clerk of the Vestry and Commiss<sup>rys</sup> Clerk, and that other Laid out for the Clerk of the Parish and Sexton, with the Clerk of the Mayers Court, and for that this present Generall Assembly are of Opinion that the s<sup>d</sup> Lotts so laid out were not under the Same Condicons as other Lotts th<sup>t</sup> were taken up by persons that upon Complying with

the af<sup>d</sup> Law had an Estate in fee And for that the said John Gresham has not yet made any Improvem<sup>t</sup> on the said Lots, To prevent any further Disputes or the Giving any further Room for any persons for the future to make any Entrys on the said Lots, It's pray'd that it may be Enacted

Liber LL, 4  
Acts

And Be it Enacted by the R<sup>t</sup> Hon<sup>ble</sup> the Lord Prop<sup>ry</sup> by and with the Advice and Consent of his Lordship's Gov<sup>r</sup> and the uper and Lower houses of Assembly and the Authority of the Same, that the said three Severall Lotts on being paid for to the proprietors be and Remain to the Severall uses as Orriginally Designed in Laying out the said Lots and the Ordinance of Assembly made Aprill the 9<sup>th</sup> 1706 af<sup>d</sup> for Ever, any pretence of their not being built on or any Entry thereof by the said Gresham or any other person to the Contrary thereof in any wise Notwithstanding, the Ground whereon the prison stands always Excepted & Reserved to the Publick.

p. 392

An Act to Confirme to Mary Hall of Talbot County widow a Tract of Land Called Glades addition in Talbot County.

Acts of  
May. 1718,  
ch. 9

Whereas it is represented to this Present Generall Assembly by Mary Hall that on the Twenty seventh day of December Anno Domini Seventeen hundred and fourteen a Certain Jasper Hall of Talbot County the husband of the said Mary in his Life time, by his Certain deed of Sale for Sundry Considerations therein mençoed but more Especially for the Consideration of one shill Sterl, Conveyed to a Certain Thomas Lee of the Isand of Burmuda Mariner a tract of Land Called Glades Addition, lying in Talbot County on the north side of Tred haven Creek, Containing ab<sup>t</sup> Seventy one a[cres] of Land, which the said Jasper Hall was purely induced to by the many Promises of the said Lee but Particularly of furnishing the said Hall with one or two good Negroe Slaves in Order to recompence him for the said Land, that the said Lee did towards the Compliance with part of his promisses Deliver to the said Hall one Negroe Boy of about 14 years of Age, that the said Lee afterwards on his Departure out of this Province stole and Carryed away the said Negroe Boy unknown to the said Hall, and against his will, and never Afterwards returned the boy or Ever Came into the Province, that the s<sup>d</sup> Jasper Hall by the many fair promises of the said Lee was further perswaded to become bound with the said Lee to a Certain Richard Bennett Esq<sup>r</sup> for the payment of the Sum of thirty two pounds fourteene Shill<sup>s</sup> Curr<sup>t</sup> mony which was afterwards paid out of the Estate of the said Jasper Hall the truth of all which have been Sufficiently made appear to this present Generall Assembly by Testimony worthy of Credit, wherefore for that the said Jasper Hall Conveyed away the said Land from himself to the said Lee for Consideracōns which the said Lee never performed and for that the Sum of thirty two pounds fourteen shill<sup>s</sup> Curr<sup>t</sup> mony paid out of the said Halls Estate

p. 393

Liber LL, 4 since his Decease would have been the proper Moneys of the said  
 Acts Mary Hall, in Case the said Jasper had not been bound for the said  
 Lee, which is thought to be the full Value of the said Land it is  
 humbly Prayed That it may be Enacted And Be it Enacted by the  
 Right Honourable the Lord Prop<sup>r</sup> by and with the Advice & Con-  
 sent of his Lordships Governour and the uper and Lower Houses  
 of Assembly and the Authority of the same that the said Mary Hall  
 her heires and Assignes from henceforth by vertue of this Act shall  
 be, as she and they hereby are Vested with an Absolute Indefeazable  
 Estate of Inheritance in fee Simple in the said Land Called Glades  
 Addition, the said Conveyance or any other matter or thing to the  
 Contrary notwithstanding.

Acts of An Act for Supplying Defects in the Conveyance of Land from  
 May, 1718, John Carey John Burridge and George Cole, to Peregrine Browne  
 ch. 11 Merchant Deceased.  
 p. 395

Whereas it appears to this Generall Assembly th<sup>t</sup> John Carey  
 now or late of London Merchant, John Burridge of Lime Regis in  
 the County of Dorsett Merchant, George Cole now or late of London  
 Merchant, and Peregrine Browne late of the City of London Mer-  
 chant Deceased, were Seized in their Demesne as of fee to them and  
 their heirs of and in the Severall tracts and Parcells of Land follow-  
 ing Videlicet Chilberry Containing two hundred and fifty acres, the  
 Addition Containing four hundred acres, Waters Neck Containing  
 One hundred acres, Batchelors hope Containing four hundred acres,  
 Batchelors Addition Containing fifty acres, all Scituate Lying and  
 being in Bush river in Baltemore County, and which Severall tracts  
 of Land are and were Commonly Called and Known by the name of  
 Chilberry Plantation and whereof the said John Carey was Seized  
 of one fourth or Quarter part, the said John Burridge of one fourth  
 or Quarter part, the said George Cole of one fourth or Quarter  
 part, and the said Peregrine Browne of the other fourth or  
 Quarter part, And that they the said John Carey John Burridge  
 George Cole, being Seized thereof as af<sup>d</sup> by their deed Indented  
 bearing date the twenty second day of Aprill in the Year of our Lord  
 p. 396 God one thousand Seven hundred, for the Consideracōn of the Sume  
 of Sixty Six pounds fifteen Shill<sup>s</sup> of Lawfull mony of England in  
 the said deed mencōned to them in having paid, did Convey all their  
 right title and Interest in and unto the said Tracts of Land to the said  
 Peregrine Browne his heirs and Assignes for Ever

And Whereas the said Peregrine Browne became Indebted to the  
 Crowne, after the date of the said deed from the said Carey Burridge  
 and Cole to him in the Sume of five thousand five hundred and  
 Eighty nine Pounds Sterl: for recovery whereof Maurice Birchfield  
 Esq<sup>r</sup> Surveyor Generall of the kings Majesty Customs then in the  
 northern but now in the Southern District of America, as Agent and



Trustee for and on behalf of the Crown did on or about the first day of May in the year of our Lord God One thousand Seven hundred and fourteen preferre his bill in the Court of Chancery of this province of Maryland ag<sup>t</sup> Marg<sup>t</sup> Browne widow and Executrix of the Last will and Testam<sup>t</sup> of the said Peregrine Browne, and Joseph Brown merchant, the Son and heir of the said Peregrine Browne for the recovery of the said Money, and in order to Subject the Lands Tenements & hereditaments of the said Peregrine Brown in this Province to the Payment thereof, on which bill it was farr proceeded in the af<sup>d</sup> Court of Chancery that A decree was made with the Consent of the af<sup>d</sup> Joseph Brown on or about the ninth day of October in the year of our Lord God One thousand Seven hundred and Sixteen, for the Sale of the af<sup>d</sup> Severall tracts or Parcell of Land among other Lands belonging to the said Peregrine Browne, towards Satisfying and Paying the aforesaid debt to the Crowne, and to the end the Sale should be made to the best advantage it was ordered by the said Decree that publick Notice should be given and that the said Sale should begin the twenty eighth day of Aprill then next ensuing in pursuance of which Decree the af<sup>d</sup> Severall Tracts or Parcells of Land Called Chilberry, the Addicōn, Watersneck, Batchelors hope, and Batchelors Addicon, Containing in the whole Twelve hundred acres of Land, were afterwards on or about the Eight day of June in the year of our Lord God One thousand Seven hundred and Seventeen at a Publick Sale or Auction at the City of Annapolis, Sold to James Phillips of Baltemore County Gentleman his heirs and assigns by the said Maurice Birchfield Esq<sup>r</sup> on behalfe of the Crowne and by the said Joseph Browne for himselfe And whereas the said James Phillips by his humble petition to this Generall Assembly has set forth that the afores<sup>d</sup> deed from the said John Cary, John Burridge and George Cole to the said Peregrine Browne of the three fourths of the said Severall tracts of land has not been duly acknowledged & recorded according to the directions of the Act of Assembly in that case made and provided Which act is Entituled An Act for quieting Possessions inrolling Conveyances and Secureing the Estates of purchasers to Supply which defect he has humbly prayed that it may be Enacted. Be it therefore Enacted by the Right Honourable the Lord Proprietarie by and with the advice and Consent of his Lordships Governour and the Upper and Lower houses of Assembly and the Authority of the same, that it shall and may be Lawfull (on paying the fine for Alienation for the said three fourths of the said Twelve hundred Acres to the Lord proprietarie or his Agent) for the said recited deed to be recorded in the Land Records in Baltemore County at any time within Twelve months from the End of this present Session of Assembly, and that the same deed when recorded as af<sup>d</sup> and Every part thereof Shall be as Good and Valid in Law to all intents Constructions & purposes and

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Acts that the said Land by Vertue thereof and of this Act shall pass from the said Jn<sup>o</sup> Carey Jn<sup>o</sup> Burr ridge and George Cole to the said Peregr<sup>e</sup> Brown & his heirs and Assignes in as full and Ample manner as if the said recited deed from the said Jn<sup>o</sup> Carey, Jn<sup>o</sup> Burr ridge and George Cole to the s<sup>d</sup> Peregr<sup>e</sup> Brown had been duly acknowledged and recorded in the records of Baltimore County Court within the time Limited by the Laws then in force, the want of Acknowledging or Recording the same deed or any Law Statute useage or Custome to the Contrary Notwithstanding

Acts of  
May, 1718,  
ch. 12 An Act to Enable Benjamine Howard to sell Certain Lands in Ann arundell County and for the Entailing other Lands belonging to the said Benjamine in Baltimore County.

Whereas John Howard late of the South Side of Severn river in Ann arundell County Gent: decēd by his Last will and Testament bearing date the twenty ninth day of December in the year of our Lord Seventeen hundred & three, did give and bequeath unto his son Benjamine Howard his Dwelling Plantacōn whereon he then Lived and all the Land adjoining to it Dureing his Naturall Life, and to the Lawfull begotten heirs of his body, for want of such heirs to goe to the next of Blood in the name, as p the same will proved and recorded in the Commissary Generall his Office of this province may Appear, and whereas the said Plantation and Land Adjoyning to it are represented to be included in three Severall Tracts or parcells (that is to p. 398 Say) Crouchfield, Originally Surveyed for one hundred and fifty acres, and marsh, Surveyed for thirty acres, and Howards Discovery, Surveyed for fifty acres, And whereas the said Benjamine Howard Devisee as af<sup>d</sup> hath petition'd this present Generall Assembly, that for as much as the said Three tracts of Land are in a Mañer Quite Cut Downe and so much worne that they Can be but of Little or no use to his Children, he may have leave given to bring in a bill to Enable him to sell the said Lands and to make and Confirme an Absolute Estate in fee Simple thereof to the purchaser, And that in Lieu of the said Lands part of a tract of Land Called Harbrough, Containing One hundred & Seventy five acres, Yates his Inheritance, Containing One hundred and Seventy acres, and Howards point, Containing thirty Seven acres, all in the possession of the said Benjamine wherein he has an Absolute Estate in fee Simple, may be Confirmed unto the said Benjamine for his Life and to the Lawfull begotten heirs of his body, for want of such heirs to Goe to the next of Blood in the name, According to the true intent and meaning of the Deceased's will af<sup>d</sup> in Relation to the Lands first above mencōned.

And Forasmuch as the truth of the Premises is Sufficiently Testified to this present Generall Assembly, and also that the Lands last mencōned are of much more Value then those first above named, so

that the Intent of the Devisor to Promote the Lawfull Issue of the said Benjamine, will in all Probability be more Effectually Complied with, by the Granting the said Petitioners Request, It is therefore humbly prayed that it may be Enacted, And be it Enacted by the Right Hon<sup>ble</sup> the Lord proprietor by and with the Advice and Consent of his Lordships Governour and the uper and Lower houses of Assembly, and the Authority of the same, that the said Benjamine Howard and the Lawfull begotten heirs of his body and the next of Blood in the name, shall from hencefourth by Vertue of this Act have the same Estate, Right, Title, and Interest of in and unto the aforementioned three Severall tracts or parcells of Land being part of Harborough, Containing by Estimation One hundred and Seventy five acres, Yates's Inheritance, Containing by Estimation one hundred and Seventy acres, and Howards point Containing by Estimation thirty Seven acres lying in Bal<sup>t</sup> County in the possession of the said Benj<sup>a</sup> now being, as he or they should or Ought to have had in Case those Lands had been Devised in the same Manner th<sup>t</sup> the Devisors Dwelling Plantation af<sup>d</sup> and all the Lands thereunto adjoining are Devised by the said will, and in Case the said three Last mencōned tracts had been Devised as af<sup>d</sup> in lieu of the said Dwelling Plantation and Lands Adjoining.

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Acts

And be it Likewise Enacted that the said Benj<sup>a</sup> be hereby Vested with an Absolute Estate of inheritance in fee Simple of in and unto the aforementioned three Severall tracts or parcells of Land Called Crouchfield Howards Discovery and Marsh. And be as he hereby is Enabled to Convey an Absolute Estate in fee Simple thereof to any purchasor or purchasors their heirs or Ass<sup>is</sup> in as full and Ample ma<sup>n</sup>er as if the same Lands had been Devised to him and his heirs for Ever by the will of the said Devisor without any Limitation of Estate therein, any thing in the said will or any Law Statute Usage or Custome to the Contrary Notwithstanding p. 399

An Act for the Removing the Court house from Charles Town in Prince Georges County and for the Building a Court house for the said County at the town of Marlborough in the said County and for makeing Sale of the Old Court house and Prison

Acts of  
May, 1718,  
ch. 13

Whereas Severall of the Inhabitants of Prince Georges County have Petitioned this present Generall Assembly Setting forth that the Court house allready built at mount Calvert is very Inconvenient to two thirds or more of the County that Marlborough is nearest the Centre of the County, and the most Convenient place that Can be thought off for the Settling of a Court house at, which plainly Appeared by the willingness of the Severall Petitioners who have made so Large Subscriptions Towards Building of a new Court house It is therefore prayed that it may be Enacted. And be it Enacted by the R<sup>t</sup> hon<sup>ble</sup> the Lord Prop<sup>ty</sup> by and with the Advice and Consent

Liber LL, 4  
Acts of his Lordships Gov<sup>r</sup> and upper and Lower houses of Assembly and by the Authority of the same that the Justices of Prince Georges County Court or the Major part of them be and are hereby Authorized and Empowered on or before the tenth day of December next after this Sessions of Assembly to go to the town of Marlborough in the said County and there make Choice of two Acres of Land whereon to build as Good a Court house as the Old one is or Ever was and to agree with the Owners of such Land for the purchase thereof for Ever and in Case the Owner of such Land shall Refuse to make Sale of the said Two acres or be under any Disability of making Sale thereof then the said Justices or the Major part of them shall be and are by Vertue of this Act Authorized Impowered and required to Issue out Warr<sup>ts</sup> to the Sherr. of the said County to Impannell and Return a Jury of the most Substantiall Free holders Inhabitants within the said County to be and Appear before the said Commis<sup>rs</sup> at a Certain Day to be by the said Justices Limited, which  
p. 400 Jury upon their Oaths to be to them Administred by the said Justice or the Major part of them shall Enquire Assess and return what Damages and recompence they shall think fitt to be awarded to the Owner of the said Two acres of Land and all Persons Interested therein and what Sum of Tobacco the said Jury shall Adjudge the said Land to be Worth shall be paid to the Owner and all persons Interested therein by the said County, and the said Justices or the Major part of them are hereby Authorized and Impowered to treat and Agree with Undertakers and Workmen, and to do all such Other Matters that shall be necessary for building and finishing the said Court house Provided on the whole they do not burthen the Taxable Persons in the said County with above five pounds of Tobacco p pole to be Levyed only for one Year in purchaseing the said Two Acres of Land aforesaid and in building and finishing the said Court house and the said Justices or the Major part of them are by this Act Impowered and Required to Levy five pounds of Tobacco p poll (if needfull) on the Taxable persons in the said County for One Year and no more for the purchaseing the said Two Acres of Land and building and finishing the said Court house Any former Act Law usage or Custom to the Contrary Notwithstanding.

And for the Removinge the Records of the said County to the said New Court house when built and finished and for the Justices holding their Court at the said new Court house when Built.

Be it Enacted by the Authority advice and Consent af<sup>d</sup> That Prince Georges County Court shall be after the Compleating and finishing the said new Court house held at the said new Court house to be built at the said Town of Marlborough and not Else where and used Reputed and Taken as the proper Court house of Prince Georges County and that the Justices of the said County Court shall and are by Vertue of this Act Impowered and required with all Convenient



Speed after the building and finishing the said new Court house at the town of Marlborough to remove or cause to be Removed from the now Court house of the s<sup>d</sup> County all the Record books Roles papers and other Records to the said County Court belonging to the af<sup>d</sup> new Court house to be built at the town of Marlborough that the Suitors to the said Court may have due and ready Recourse thereto, and that they Cause a List of all such Records and books to be made and Entered in their said Records Signed by the Clerk of their said County Court.

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And for the Impowering the Justices of the said County Court to make Sale of the Now Court house and prison belonging to the said County after the finishing and Compleating the said new Court house.

Be it further Enacted by the authority Advice and Consent af<sup>d</sup> that the Justices of the said County Court or the Major part of them are hereby Authorized Impowered and required (after the Building and finishing the new Court house to be built at the said Town of Marlborough and the Records Removed as af<sup>d</sup>, to make Sale of the said Old Court house prison and the Land thereto belonging to the best Purchaser or purchasers and to Convey an Estate thereof in fee Simple to them their heirs and a<sup>s</sup>sis for Ever and th<sup>t</sup> the Tobacco or money that shall arise by the Sale thereof shall be applyed for and towards the finishing the said new Court to be built at Marlborough af<sup>d</sup> any Law Statute Usage or Custom to the Contrary Notwithstanding.

p. 401

An Act for Confirming the Last will and Testament of Elizabeth Deveghe late of Baltimore County Deceased and for Vesting in John Deveghe his heirs and A<sup>s</sup>sis for Ever an Estate in fee Simple in all and Singular the Lands, tenements and hereditements whereof the said Elizabeth Deveghe dyed seized as af<sup>d</sup>

Acts of  
May, 1718,  
ch. 14

Whereas Elizabeth Deveghe late of Baltimore County Deceased made her Last will and Testament in Writeing bearing date the fifth day of January, Sixteen hundred ninety three and soon after dyed which will follows in these words. In the name of God Amen I Elizabeth Deveghe of Baltimore County being Sicke and weake of body but of sound and perfect memory, all Laud and Praise be to the Lord do make this my Last will and Testament in ma<sup>n</sup>er and forme following, my Soul I Co<sup>m</sup>mitt into the hands of Almighty God my Creator & Redeemer hoping for a Glorious Rusurrection and my body to the Ground there to be Orderly and Decently buried in a Christian manner and for what Temporall Estate it hath Pleased God to Endow me with all, I do bestow as is hereafter Specified Imp<sup>ts</sup> I give and bequeath unto my Loveing husband John Deveghe all my Estate both reall and personall as whatsoever doth properly or any ways appertain to me, to him my said husband I freely give and

Liber LL. 4 bequeath and to his heirs and assigns for Ever Freely revoaking all  
 Acts former wills and this to be my Last will and Testament As Wittness  
 my hand and Seale this fifth day of January Sixteen hundred ninety  
 and three which said will was Subscribed and Sealed with the  
 p. 402 Proper Seale of the said Elizabeth Devegehe and witnessed by  
 James Maxwell, Robert Oulas and John Debruler, as by the same  
 will proved in Common forme by the af<sup>d</sup> Evidences before Thomas  
 Stalley one of the Deputy Commissarys of Bal<sup>t</sup> County the thirtieth  
 day of July Sixteen hundred ninety and four and Remaining of  
 Record in the Commissarys office of this Province may more at Large  
 Appear.

And whereas it appears to this Generall Assembly that the said  
 Elizabeth Deveagh at the time of makeing of the said will was  
 Married to and under the Coverature of John Devegh in the said  
 will mencōned and also that it was her Reall and full Intent and  
 Meaning that the said John Devegh his heirs and Assis, should  
 have all her Reall Estate from and after her Decease, and that she  
 was willing to secure the Same to him in due form of Law but wanted  
 an Oppertunity and proper advice so to doe Otherwise then by the  
 said will, and for as much as it may be disputed whether the said  
 Elizabeth Devegh being a feme Covert Could make a will in favour  
 of her said husband for Remedy whereof.

Be it Enacted by the R<sup>t</sup> Honourable the Lord Prop<sup>ty</sup> by and with  
 the advice and Consent of his Lordships Governour and the upper  
 and Lower houses of Assembly of this province and by the Authority  
 of the Same That att all times hereafter the said Jn<sup>o</sup> Devegh his heirs  
 and Assis, and all persons Claiming by from or under him or them  
 or any of them shall and may by Vertue of the said will have hold and  
 Enjoy all and Singular the Reall Estate whereof the said Elizabeth  
 Devegh dyed Seized of in fee simple or intituled unto in as full Ample  
 & Beneficiall a manner as if the said Last will and Testament had  
 been made by the said Elizabeth Devegh when a feme sole or had she  
 dyed unmarried, any Law or Statute or Useage to the Contrary  
 notwithstanding.

Provided nevertheless that nothing herein shall Extend Take away  
 the right of any Lawfull heir or heirs of the said Elizabeth Devegh  
 in Case they shall at any time within Seven Years make Good their  
 Claim to the Reall Estate of the said Elizabeth Devegh any thing  
 herein before Contained to the Contrary Notwithstanding.

Acts of An Act for investing the Right heirs of Edward Day late of Sumer-  
 May, 1718, sett County, with an Estate in fee Simple of Certaine Lands in  
 ch. 15 the said County.  
 p. 403

Whereas George Scott of Somersett County by his humble Pe-  
 tition to this Generall Assembly in May Last has sett forth that one  
 Edward Day of Somersett County a Considerable time before his

Death Agreed with a Certain John Huet and Stephen Luffe the Att<sup>ys</sup> in fact of Thomas Jones and Howell Jones of Monmouthshire in Wails for the purchase of a percell of Land Lying on north side of Wiccomoco River in Summersett County late Andrew Jones's between Johnsons Creek and Taylors Hill Gutt Supposed to Contain about Two hundred acres, and Obtained the said Huetts and Luffs Bond dated the Sixteenth day of July Anno Dom Sixteen hundred & Eighty Seven in One hundred and Twenty pounds Sterl penalty for the due makeing over the said Lands as Att<sup>ys</sup> of the said Thomas and Howell Jones when thirty pounds of the said purchase mony should be paid, that the said Edward Day was Immediately put into the possession of the said Land and made Considerable Improvements thereon and dyed in possession thereof.

That Edward Day in his Lifetime paid the said Thomas and Howell Jones the Sume of thirty pounds fourteen Shill<sup>s</sup> and nine pence part of the said purchase mony but dyed Intestate in Sometime after, before he had got the Land made over, according to the Condiçõ of the bond af<sup>d</sup> that the said Edward Day Left a Sufficient Personall Estate in the hands of Mary his Widow and Administra- trix to pay the Residue of the said purchase mony and all his debts of Equall or Superior Nature to the debt due by bond to the said Jones, And that the said Mary Administred the Estate of her Deceased husband, but Instead of paying the said Debt to Jones by bond paid Sundry Debts of an Inferior Nature, and Left the said bond as she pretended unsatisfied as to the residue, but afterwards got the said Land made over to herself on passing her Own bond for payment of the ballence, and in about two years after the death of her husband Day, was Delivered of a male Child Called Abraham Turnor, being born out of wedlock to whome the said Mary has Conveyed the said Land which (as in the said Petition is alledged) in all Equity and Justice is the proper Estate of Inheritance of Day Scot, and others the Lawfull heirs of the s<sup>d</sup> Edw<sup>d</sup> Day, who Left Issue one Son named Isaac and four Daughters, two of the Daughters dyed Infants, then the Son dyed, by which Elizabeth and Anne the two Daughters Surviving became Coheirs to their Deceased brother, Elizabeth Maryed George Scot the Petitioner, by whom she had the Child mencõned Day Scot, and Dyed, Anne Maryed Philip Todd and had Issue by him and Dyed so that one half of the said Land (as is suggested) by the said Petition belongs to the said Day Scot, and the other half to the right heirs of Anne. And forasmuch as the truth of the Allegations of the said Petition is made Sufficiently Appear to this Present Generall Assembly, and for that W<sup>m</sup> Round and the aforesaid Mary his wife Late Mary Day, has had due notice of the said Petition to Appear and Answer the same this Session and have made no Defence thereto, It is therefore humbly prayed that it may be Enacted And—Be it Enacted by the right Hon<sup>ble</sup> the Lord

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Acts

p. 404

Liber LL, 4    Proprietarie by and with the advice & Consent of his Lordships  
 Acts    Governour & the uper & Lower houses of Assembly & the Authority  
 of the same That the right Heirs of the s<sup>d</sup> Edward Day be and are  
 hereby Invested w<sup>th</sup> as Ample an Estate in the Premisses as if the  
 Conveyance of the s<sup>d</sup> Land w<sup>ch</sup> was made to the said Mary Day now  
 the wife of W<sup>m</sup> Round had never been made and as if the same  
 Lands had been duly Conveyed from the said Tho<sup>s</sup> Jones and Howell  
 Jones or Either of them to the said Edward Day in his Life time in  
 fee Simple according to Law, any Law Statute or Custome to the  
 Contrary Notwithstanding. Provided nevertheless and Be it En-  
 acted by the authority af<sup>d</sup> by and with the Advice and Consent af<sup>d</sup>  
 that in Case the s<sup>d</sup> Abraham Turner shall at any Time within  
 Eighteen Months Come into this Province & make it appear that he  
 has a Good right to the Land af<sup>d</sup> Otherwise than as af<sup>d</sup> which right  
 shall be allowed and Approved of as Just and Equitable by the  
 Generall Assembly of this Province that shall next sit after such his  
 Comeing into this province as af<sup>d</sup> that then this Act shall in no wise  
 Prejudice such his Just & Equitable right anything therein to the  
 Contrary notwithstanding.

Acts of    An Act for the relief of Rob<sup>t</sup> High Bricklayer a Languishing Pris-  
 May, 1718,    oner in Calvert County and of Phillip Eilbeck in Kent County.  
 ch. 17

p. 407    Whereas the said Robert High by his Humble Petition to the Gen<sup>l</sup>  
 Assembly of this province has set forth that he hath been a prisoner  
 for Debt in the Custody of the Sherr<sup>s</sup> of Calvert County above four  
 years and that he is an Antient man and hath a wife and three small  
 Children and nothing for them to Live on (nor in the world to the  
 Value of Twelve pounds) which his Creditors are not willing to  
 Accept of in his Discharge, so that unless some relief be Provided  
 for him by a particular act to be past in his favour which by his s<sup>d</sup>  
 Petition he hath humbly prayed for he fears he shall Continue a  
 Prisoner for Life, and by that means his wife and three small Chil-  
 dren become a burthen to the County for Necessary Sustenance to  
 preserve them from Starving, and for that the truths of the said  
 Rob<sup>t</sup> Highs Alegat<sup>ns</sup> are made Appear to this present Gen<sup>l</sup> Assembly  
 by Sufficient Testimony, and also that the said Robert has not fallen  
 under such Circumstances by any Extravagancy or Idleness of his  
 own since he Came into this province, and therefore for that the said  
 Robert and his family are thought fitt Objects of Charity and that  
 his Lying in Goal Can be no benefitt to his Creditors tho, it may  
 prove a ruin to his family and a burthen to the County it is therefore  
 humbly prayed that the said Rob<sup>t</sup> may be relieved according to his  
 prayer and that it may be Enacted.

And be it Enacted by the right Hon<sup>ble</sup> the Lord Proprietary by  
 & with the advice and Consent of his Lordships Gov<sup>r</sup> and the upper  
 and Lower houses of Assembly and by the Authority of the same that



in Case the said Rob<sup>t</sup> High shall Deliver up and Surrender or Cause to be Delivered up and Surrendered to the Sherriff of Calvert County in the presence of two Justices of the peace in the said County whom the said Sherriff is hereby required to Sumons on the request of the said Rob<sup>t</sup> at the said Roberts now Dwelling place at some Convenient Time within three months after the End of this present Session of Assembly all his Real and Personall Estate Either in Possession reversion Remainder or in Trust or in or unto which he hath any Claim or Interest w<sup>t</sup>soever and Do within the Time af<sup>d</sup> Convey Assign Transfer and make Over unto the s<sup>d</sup> Sherriff of Calvert County, for the use of the said Roberts Creditors all such his Estate Interest or Claim as aforesaid, after such Manner as by the said Sherriff and the Major part of the Creditors of the s<sup>d</sup> Rob<sup>t</sup> or of such of them as shall think fitt to Direct therein or his or their Councill Learned in the Law shall be reasonably Devised or required at the Costs and Charges of such p<sup>rs</sup>ons as shall Claim the Benifitt thereof so as the said Rob<sup>t</sup> High be not burthened with any Warrantees thereby other then from himself and those that Claim by from or under him and that the said Rob<sup>t</sup> at the Time of such his Surrender & Transferring of his Estate as af<sup>d</sup> shall Take his Solemn Oath before the said Justices so to be sumonsed as afs<sup>d</sup> to the Effect following Viz.

“I Robert High do Solemnly Swear that the Goods Debts and Effects which I have Delivered Assigned and made over to the Sherr. of Calvert County and in trust for the use of my Creditors, is the whole Estate both Real and personall of my own in possession or that I have any Title to in the world and that I have not any Estate Goods or Effects of any Kind w<sup>t</sup>soever Left Either in Possession Reversion or Remainder, the Necessary wareing Apparell for my Self wife and Children Excepted and that I have not Directly nor indirectly sold Leased or otherwise Conveyed disposed of or Intrusted all or any part of my Estate thereby to secure the same to receive or Expect any profit or advantage thereof

So help me God.

It shall and may be lawfull for the Sherr. of Calvert County, after the End of the said three months, and the said Sherr. is hereby required to Discharge the s<sup>d</sup> Rob<sup>t</sup> High out of Custody, and to Suffer him to go at Large. And be it further Enacted by the Authority af<sup>d</sup> by and with the advice and Consent af<sup>d</sup> that upon the s<sup>d</sup> Rob<sup>t</sup> Highs Complying with what is required of him by this Act that he the said Rob<sup>t</sup> High his heirs Executors or Adm<sup>rs</sup> shall be by Vertue of this Act, Acquitted, Exonerated, released, and Discharged, of and from all manner of Debts, Duties, Claimes, and Demands w<sup>t</sup>soever, that have been Contracted by him or have arose due or become demandable from him at any time before the Sitting of this Gen<sup>l</sup> Assembly

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Liber LL. 4 and that in Case the said Rob<sup>t</sup> shall after such his Compliance and  
 Acts Discharge as af<sup>d</sup> be again Arrested or sued for any such debts or  
 duties as af<sup>d</sup> or that the said Sherr. shall be sued for any Matter or  
 thing required of him to be done by his Act that then the said Rob<sup>t</sup>  
 High or the said Sherr. may Enter a Comon Appearance without  
 Speciall bayle to any such actions as shall so brought ag<sup>t</sup> them or  
 Either of them and . . . thereto the Gen<sup>n</sup> Issue and Give this Act  
 p. 409 or the . . . with the Speciall Matter thereon Ariseing in Evidence;  
 and that in Case the Plaintiff shall be non suit in such Action the  
 Defendant shall recover ag<sup>t</sup> him Double Costs of Suit any Law  
 Statute Usage or Custom to the Contrary Notwithstanding. And  
 be it further Enacted by the same Authority Advice & Consent af<sup>d</sup>  
 that the Sherr. of the Samè County of Calvert afs<sup>d</sup> shall after such  
 Surrender and Delivering up as af<sup>d</sup> Give publick Notice at the  
 Churches Court house and Mills in the said County of some precise  
 time by him the s<sup>d</sup> Sherr. and the said Two Justices to be Appointed  
 for the Distribution of the said Roberts Estate not Less then Twenty  
 Days after the time of the makeing the said Surrender, and shall then  
 & there in the presence of two such Justices as af<sup>d</sup> and by their advice  
 and Directions make Distribution of the said Rob<sup>ts</sup> Estate so as afs<sup>d</sup> to  
 be Surrendered Delivered up or transferred among such of the said  
 Roberts Creditors only as shall then by themselves or their Lawfull  
 Attorney or Attorneys think fitt to be present at such Distribution by  
 an Equall and proportionable Distribution thereof to Every such  
 Creditor with Respect and in proportion to the Largeness of his  
 Debt, the Proceedings of the s<sup>d</sup> Justices and Sherriffs in that behalf  
 to be Certified to the said Calvert County Court and there Lodged  
 for the Perusall of any the said Roberts Creditors that shall require  
 the same without any fee to be paid for the same or for such Lodging  
 thereof Saveing the right of his most sacred Majestye his heirs &  
 Successors & of all bodies Politick and Corporate. Provided Never-  
 theless that in Case the said Rob<sup>t</sup> shall at any Time after the making  
 such his Oath as af<sup>d</sup> be Convict of wilfull and Corrupt perjury there-  
 upon, that then the said Rob<sup>t</sup> shall upon such Conviction be Ad-  
 judged to Stand Two hours in the Pillory and have his Left Ear Cut  
 off, and shall be wholly deprived of any the Benefitts Designed him  
 by this Law and shall be from thence forth Liable to be prosecuted  
 for any Debts or Demands w<sup>h</sup>sover in the same manner as if this act  
 had never been made anything therein Contained to the Contrary  
 notwithstanding.

And whereas Philip Eilbeck of Kent County has Likewise Pe-  
 tioned this present Gen<sup>n</sup> Assembly that for as much as he has been a  
 Prisoner above this Two years in Kent County and is past all hopes  
 of Gitting mony or finding friends to pay his Debts he may Likewise  
 be favoured by An Act to be past for his Relief and for that his Lying  
 in Goale Can be no Satisfaction to his Creditors tho' it may be his

Utter Ruin & a burthen to the Sherr if not to the County it is humbly  
 Pray'd that it may be Enacted, and be it Enacted by and with the  
 Advice and Consent at<sup>d</sup> that the Creditors of the said Philip Eilbeck  
 as also the Sherriff and Justices . . . . Liberties and Authorities  
 to Relieve the . . . . Condiçõs and Termes and in the same . . . .  
 Sherr. and others Concerned in respect . . . . the said Phillip  
 Eilbeck Duly Com . . . .

Liber LL, 4  
 Acts  
 p. 410

An Act for the Vesting and Settling an Estate of Inheritance in Fee  
 Simple of and in a Certain parcell or Lott of Ground in the City  
 of Annapolis Containeing One hundred & twenty feet in Length  
 on Robert Johnson of Ann arundell County Ship Carpenter.

Acts of  
 May, 1719,  
 ch. 5  
 p. 427

Whereas his late Excellency Col<sup>t</sup>. Nicholson having Given a  
 Certain parcell or Lott of Ground to the use of such Ship Carpenters  
 as would Inhabitt thereon And follow their Trades within this  
 Province, And whereas the said Robert Johnson having petitioned  
 this present Generall Assembly that One hundred and Twenty feet  
 in length Along the Waterside of the same pcell or Lott of Ground  
 might be Confirmed to him his heirs and Assignes for Ever, by an  
 Act to be passed in his favour haveing sett forth in his Petition That  
 he would build a Dwelling house and Shipyard On the same.

Be it therefore Enacted by his Lordship the R<sup>t</sup> Honorable the Lord  
 proprietor by and with the Advice and Consent of his Lordships  
 Governour and the upper and Lower houses of Assembly of this  
 Province and the Authority of the same That the said Robert John-  
 son his heirs and assignes for Ever shall be, And they hereby are  
 Vested in a good sure Indefeazable Estate of Inheritance in fee  
 Simple of in And unto the aforesaid Quantity of Land at the upper  
 End of the said Lott with the whole breadth thereof any Law Cus-  
 tome or Usage heretofore had made or used within this Province to  
 the Contrary notwithstanding Provided allways That if the said  
 Robert Johnson his heirs or Assignes shall Apply the said Parcell of  
 the lott of Ground aforesaid to any other use than that of a Ship Car-  
 penters Yard (Except Necessary buildings for that Service) and also  
 faile to pay the Corperation of the City of Annapolis five Shillings  
 Currant Money Annually for the Ground Rent thereof within two  
 months after reasonable request made, and shall also neglect to Cary  
 on the business of a Shipwright for the space of twelve months  
 together and pay the proprietor the proportionable part of the  
 Assessment thereon that then it shall and may be Lawfull to and  
 for the said Corperation in to the said parcell or lott of Ground to  
 Reenter and the same to possess in as full and ample Manner to all  
 intents and purposes as if this present Act had not been passed any  
 law Custom or usage with in this province to the Contrary not-  
 withstanding.

Liber LL, 4  
 Acts  
 Acts of  
 May, 1719,  
 ch. 6  
 p. 428

An Act to Confirm a Tract of Land therein Menconed to the Rector or Minister of Saint John's Parish in Baltimore County and his Successors forever.

Whereas Jeremiah Eaton late of Baltimore County Deceased, was Seized in his Demesne as of fee, of and in a Tract of Land lying in Saint Johns Parish in Baltimore County called Stoakly Mannor alias Stoak Flemmon, Containeing five hundred and fifty Acres more or less, which Tract of Land was by the said Jeremiah by his last Will and Testament in Writing beareing date the tenth day of January in the Year of our Lord God One Thousand Six hundred Seventy and five Given & Devised to the first Protestant minister that should Preside in Baltimore County & his Successors for Ever. And Whereas the said Will is not so clearly exprest, but that the title to the said Land may be Precarious, or at least liable to Disputes and Misinterpretation; altho' its Evident to the present Generall Assembly, that the true Intent of the testator was that such Protestant Minister, and his Successors for Ever Should Enjoy the said Land and Whereas the said Land is scituate in St John's Parish and that it is not particularly exprest by the Will, What Minister shall Enjoy the same It is thought Reasonable, & most Agreeable to the Intent of the Devisee, that the Minister for the time being, of the Parish wherein the land Lyes, should have the Benefit thereof And for as much as it hath been Suggested that the Aforesaid Land Called Stoakley Manner alias Stock flemmon, is not One, & the same, but two Severall Tracts of Land upon which pretence some psons have threatened to Escheat the same under the name of Stoak flemman Whereas it appears by good Evidences that the af<sup>d</sup> two severall Denominations were Intended to denote One & the same Tract of Land Wherefore it is prayed it may me Enacted, and to the End, that the Testators pious Intention may have the Designed Effect & all Doubts and Defficulties be Removed.

Be it Enacted by the Right Hon<sup>ble</sup> the Lord Proprietary by and with the advice & Consent of his Lordships Governour, & the upper and Lower houses of this present Generall Assembly and by the Authority of the same that the said Land Called Stock Flemon alias Stoakly Manner be and is hereby adjudged, And taken to be One & the same Tract of Land And shall be to the use of the present Minister of Saint Johns Parish, in Baltimore County, & the Succeeding Ministers, or Rectors of the said Parish being of the Church of England as by Law Establisht, for Ever in as full and Ample maner, as the said Jeremiah held the same And that the said Parish do and shall Discharge and pay all Arrearages of Rents Due on the said Land out of the ten pounds of Tobacco p pole to be Levied in the same Parish.



An Act to Supply Certain Defects in the Conveying of Lands from Henry Roberts to John Ford.

Liber LL, 4  
Acts  
Acts of  
May, 1719,  
ch. 8  
p. 480

Whereas Henry Roberts late of Ann Arundell County in the Provinces of Maryland Planter by his Deed of Bargain and Sale bearing date the thirteenth Day of December Anno Domini Seventeen hundred and Seven for the Consideration of One hundred pounds Sterling Granted and Sold unto John Ford of the same County an Province Planter and to his heirs and Assignes for Ever all that parcell of Land Being part of a Tract of Land Called Ropers range, Beginning at a new Planted Pear tree Standing in the South line of the said Land as also in the line of a Tract of Land Called Ropers Gray and runing from the said Pear tree by a line drawn South fifty Perches to a bounded Redd Oake thence west South west thirty perches to another bounded redd Oake thence South East and by East two hundred and twenty perches to a stake Standing in the line of a tract of Land Called Arnold Gray thence with Arnold Gray north East Seventy five perches thence by streight line to the first Tree Containeing and laid out for One hundred Acres of Land more or less as by the deed thereof duly Executed and Acknowledged reference thereto being had may more fully Appear. But forasmuch as the said John Ford omitted to get his afore mencōned deed from Henry Roberts recorded in time according to the directions of An Act of Assembly of this province for Quieting possessions Enrolling Conveyances and Secureing purchasors Estates through w<sup>ch</sup> neglect the said Jn<sup>o</sup> Ford was Advised that his Title to the said Land was precarious To Remedy w<sup>ch</sup> the said John Ford hath Petitioned this Present Generall Assembly for Releve in this behalf and for that the truth of the pmisses is sufficiently made Appear and that the Consideration of the said sale hath been duely paid and that the petitioners Case most Properly requires an Equitable Relief by An Act to be past in his favour, it is therefore humbly prayd it may be Enacted.

And be it Enacted by his Lordship the Right Hon<sup>ble</sup> the Lord Prop<sup>ty</sup> by and with the Advice and Consent of his Lordships Governour and the upper and lower houses of Assembly and the Authority of the same, That the said deed may be recorded and Confirmed and held to be as Effectuall in Law to all Intents Construtions And purposes whatsoever as if the same had been duly recorded to the directions of the af<sup>d</sup> Act for Quieting Possessions Enrolling Conveyances and Secureing Purchasers Estates unless Sufficient Cause shewn to the Contrary the next Session of Assembly anything in the same Act or any Other Law Statute usage or Custom to the Contrary notwithstanding Provided the same Deed Be recorded and the Alienation Money Duely paid w<sup>th</sup>in Six Months from the End of this Session of Assembly Saveing to the said Lord Proprietor his heirs and Successors and all bodyes Politick and Corporate & all Others not mentioned in this Act their Severall and respective Rights.

Liber LL, 4 An Act to Confirm to William Gray of Calvert County a Small  
 Acts  
 Acts of parcell of Land lying in the said County sold by Robert Brooke  
 May, 1719, to the said Gray now in the possession of the said Gray  
 ch. 9  
 p. 431

Whereas William Gray of Calvert County by his humble Petition to this Generall Assembly has set forth that a Certain Robert Brooke of Calvert County had on or about the Seventh Day of August Anno Domini 1714 Agreed with the said William Gray for the Sale of a small pcell of Land Containing about forty nine Acres of Land for the Consideration of 4900<sup>th</sup> Tobacco and by his bond or Writeing Obligatory Obliged himself to make Over Assigne and Convey to the said William Gray An Absolute Estate in fee simple thereto According to the following bounds & Courses (Viz) Begining at the first bounded Cedar Post of the land Called Brook Place Manner and runing to a bounded white Oake Standing in the line of the af<sup>d</sup> manner being the bounded Tree of James Duke and runing from the said Oake to a bounded red Oake standing by the road side that leads to Mr John Bromes thence runing to the head of a Creeke called Dunning ford Creek to the Begining bounded red Oake of the Land sold to Thomas Atturbury and from the said Atturbury's red Oake to the aforesaid Cedar Post, That the af<sup>d</sup> William Gray hath well and faithfully paid to the said Robert in his life time the Considera-  
 cōn Money for the said Land but that the said Rob<sup>t</sup> Dyed in some small Time After, so that he had no Oppertunity of making the same Over According to his intent and the tennour of his Obligation The truth of all which premisses has been Suficiently made Appear to this present Generall Assembly wherefore the said William has Suppliated this Generall Assembly that an Act be made in his favour to Confirm the land aforesaid According to the meets and bounds aforesaid to him in fee simple the heir at Law haveing Due Notice thereof

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governour and the upper and Lower houses of Assembly and the Authority of the same that the said William Gray his heirs and Assignes for Ever shall [be] and is hereby Vested with a Good sure Indefezable Estate of Inheritance in fee Simple of in and unto the  
 p. 432 aforesaid fourty nine Acres of Land According to the metes and Bounds afore menconed On recording this act in the Records of Calvert County within six months from the End of this Sessions of Assembly anything in the Act for Quieting possessions enrolling Conveyances and Secureing the Estates of . . . or any Other Law Statute usage or Custom to the Contrary notwithstanding

Saveing to the Right Honorable the Lord Proprietary And his successors and all bodies Politick and Corporate and all others not men-  
 cōned in this Act their severall and Respective Rights.

An Act for the Relief of Samuel Lyle of Calvert County, of Christopher Bateman Robert Gray and John Budd of Kent County Languishing Prisoners.

Liber LL, 4  
Acts  
Acts of  
May, 1719.  
ch. 10

Whereas Samuel Lyle of Calvert County has by his humble Petition to this Generall Assembly set forth that he has Continued a Prisoner for Debt in the Custody of the Sherriff of Calvert County Ever since the Seventeenth of May Anno Dom. one thousand seven hundred and Eighteen through many Losses at Sea and Great Expences which he was at to Docters for their Medicens and attendance and having for many Years Laboured under many Diseases in his body, And at which time haveing a Family to maintain is become Indebted to Severall persons in this province in many large Sums of money and Tobacco of Long standing And that altho at the time of the Makeing of the Act of Assembly for the relief of Poor Debtors and Languishing prisoners the said Lyle was a prisoner in the Custody of the Sherriff of Calvert County for Severall of his Just Debts which he then . . . to Severall of his Creditors and was one of the Prisoners w<sup>ch</sup> petitioned for the makeing of the said Act and might undoubtedly have had the same Benefitt therby as Others had Yet he would not take the Advantage thereof for his relief being minded to Endeavour and hoping to Clear himself from all his Just Debts by his Care and Labour if his Creditors would but Give him time and for that the truth of the said Sam<sup>l</sup> Lyle's Allegations is made Appear to this Generall Assembly by Sufficient testimony and also that the said Samuel has not fallen under such Circumstances by any Idleness or Extravagancy of his Owne haveing been always an Industrious painstakeing Planter but meerly by the Occasions aforesaid And also that the said Samuel is a Man of an Honest Sober Conversation And therefore for that the said Samuell and his family Are thought fitt p. 433  
Objects of Charity and that his Lying in Goall can be no Benefitt to his Creditors tho it may Prove a ruin to his family and burthen to the County it is humbly praid that the said Samuel may be relieved According to his Prayer and that it may be Enacted. And be it Enacted by the Right Honourable the Lord Proprietor by and with the Advice and Consent of his Lordships Governour and the upper and Lower houses of Assembly and by the Authority of the same that unless all or any of the Creditors of the said Samuel Lyle or their Attorney or Attorneys within this Province with in three Months after the End of this Session of Assembly go to the Sherriff of Calvert County and Give Good Security to pay the Imprisonment fees, at ten pounds of Tobacco p Day that shall or may become Due from the said Sam<sup>l</sup> Lyle after the End of the said Three months and also to find the said Samuel Lyle Sufficient meat Drink and Clotheing dureing his future Imprisonment in Case the said Samuel Lyle shall deliver up and Surrender or Cause to be delivered up and Surrendered to the Sherriff of Calvert County in the psence of Two Justices of

Liber LL, 4 Acts the peace in the said County whome the said Sherriff is hereby Required to Summons on the request of the said Samuel at the said Samuel his now dwelling house at some Convenient Time betwixt the twentieth Day of June and the twentieth day of July next all his Reall and personall Estates either in possession Reversion remainder or Intrust or in or unto which he hath any Claim or Intrest whatsoever and do likewise betwixt the Days aforementioned Convey assigne Transfer and make Over unto the said Sherriff of Calvert County for the use of his the said Samuels Creditors all such his Estate Intrest or Claime as af<sup>d</sup> after such manner as by the said sherriff and the major part of the Creditors of the said Samuel or of such of them as shall think fitt to Direct therein or his or their Councill Learned in the Law shall reasonably devise or require at the Cost and Charges of such persons as shall Claim the Benifitt thereof so as the said Samuel Lyle be not burthened with any warrantees thereby Other then from him self and those that Claim by from or under him & that the said Samuel at the time of such his Surrender and Transferring of his Estate as aforesaid shall take his Solemn Oath before the said two Justices to [be] summoned as af<sup>d</sup> to the Effect following (Viz)

“ I Samuel Lyle Do Solemnly Swear that the Goods Debts and Effects which I have Delivered Assigned and made Over unto the sherr. of Calvert County & Intrust for the use of my Creditors is the whole Estate both real and personall of my Own that I have in possession or have any Title to in the world And that I have not any Estate Goods or Effects of any kind what so Ever af<sup>t</sup> Either in Possession reversion remainder or Intrust for my use or benifitt the necessary wearing apparrell for myself wife and Children Excepted and that I have not Directly or indircetly sold Leased or Otherwise Conveyed disposed of or intrusted all or any part of my Estate thereby to Secure the same to receive or Expect any Profitts or Advantage thereof So help me God It shall and may be Lawfull for the Sherriff of Calvert County and the said sherriff is hereby required after the End of the said Three months to Discharge the said Samuel Lyle out of Custody and to Suffer him to go at Large and Be it further Enacted by the Authority aforesaid by and w<sup>th</sup> the Advice and Consent af<sup>d</sup> that upon the said Samuel Lyles Complying with what is required of him by this Act that he the said Samuel his heirs Executors or Administrators shall be by Vertue of this Act Acquitted Exonerated Released and Discharged of And from all manner of Debts Claimes and Demands whatsoever that have been Contracted by him or have arose due or become demandable from him at any time before the Sitting of this present Generall Assembly and that in Case the said Samuel shall after such his Compliance and discharge as aforesaid be again Arrested or sued for any such his Debts or Duties as af<sup>d</sup> or that the said Sherriff shall be sued for



any matter or thing requiring of him to be done by this Act that then the said Samuel Lyle or the said Sherriff may Enter a Common Appearance without Speciall Bayle to any such Action as shall be so brought against them or Either of them and plead thereto the Generall Issue and Give this Act or the Exemplification thereof with the speciall matter thereon arising in Evidence and that in Case the Plaintiff shall be nonsuited in such Action the Defendant shall Recover against him double Costs of suit any Law Statute usage or Custom to the Contrary notwithstanding And be it further Enacted by the same Authority Advice and Consent aforesaid that the sherriff of the same County of Calvert aforesaid shall after such Surrender and Delivering up as aforesaid Give Publick notice at the Churches Court house and Mills in the said County of some precise time by him the said Sherriff and the said two Justices to be appointed for the Distribution of the said Samuels Effects and Estate not Less then twenty days after the time of the Makeing the said surrender and shall then and there in the psence of two such Justices as aforesaid and by their Advice and Directions make distribution of the said Samuels Estate so as aforesaid to be Surrounded delivered up or Tranceferred amongst such of the said Samuels Creditors onely as shall then by themselves or their Lawfull Attorney or Attornys think fitt to be present at such distribution by an Equall and proportionable distribution thereof to Every such Creditor with respect had in proportion to the largeness of his or her Debt The Proceedings of the said Justices and Sherriff in that behalf to be Certified to the said Calvert County Court and their Lodged for the perusall of any the said Samuels Creditors that shall require the same without any fee to be paid for the same or for such lodging thereof Saveing the Right of the right Honourable the Lord Proprietarie his heirs and Successors and of all bodyes Politick and Corporate provided nevertheless that in Case the said Samuel shall be at any time after the makeing such his Oath as aforesaid Convict of willfull and Corrupt perjury thereupon that then the said Samuel upon such Conviccon be adjudged to stand two houres in the Pillary and have his left ear Cut of and shall be wholly deprived of any the Benifitts designed him by this law and shall be from thence forth liable to be prosecuted for any Debts or Demands whatsoever in the same Maner as if this Act had never been made anything therein before Contained to the Contrary notwithstanding.

Liber LL, 4  
Acts

p. 435

And whereas Christopher Bateman of Kent County has likewise Petitioned this present Generall Assembly that he hath had a Vexatious and Troublesome Law suit with a Certain Laughlin Flinn of the same County whereby he was forced to Expend the most part of his small Substance and Estate, that the said Laughlin has since obtained Judgment against him and thereupon taken him in Execution for the sume of thirty pounds Currant money and two thou-

Liber LL, 4  
Acts

sand one hundred & thirty one pounds of tobacco Costs of suit on which Execution he has remained in Custody for above these Eight months past and is like to Continue so Dureing life unless Relieved. That he is aged, hath a wife and Severall Small Children who have nothing to support them but the said Batemans Labour and must in a short time Either become a burthen to the County or Starve for want of food, That he is willing to do all that in him lies towards the Complying w<sup>th</sup> the Judgm<sup>t</sup> aforesaid but that all that he has in the world will not amount to near th<sup>t</sup> sume And that the said Flinn Vigorously insists on keeping him in Goal till he has paid the utmost farthing. It is therefore humbly praid that it may be Enacted and be it Enacted by the Authority aforesaid by and w<sup>th</sup> the advice and Consent aforesaid that the said Christ<sup>r</sup> Bateman upon his Surrendering all his Estate upon Oath as af<sup>d</sup> On the Condicons and under the Penalties aforesaid Enjoynd the same Samuel Lyle to any two of the Justices and to the Sherriff of Kent County for the use of the said Laughlin Flinn Save that the Sherriff have a proportionable part of such Estate so to be Surrendered up towards discharge of his fees due to him on Account of the Imprisonment of the said Bateman at the suit of the said Laughlin Flinn it shall be lawfull for the said sherriff and he is hereby required to Discharge the said Bateman of his Custody, and the said Laughlin, as also the said sherr. is hereby debarred from any further Execution against him the said Bateman in relation to the said Judgment and whereas Robert Gray of Kent County Planter has likewise Petitioned this Present Generall Assembly setting forth that he is a prisoner in Custody of the Sherriff of the same County at the suite of John Johnson of the same County Gent. for a Considerable sume of Tobacco and has Continued there for the space of three months and is in no hopes of Ever Getting out all that he has in the world not being Sufficient to pay and satisfie the said Debt and Charges and where as John Budd of the Same County by his humble Petition to this present Generall Assembly has set forth that he is likewise a Prisoner in Custody of the same Sherriff for debt and in no likelyhood of Getting there Out all that he has in the world not being Sufficient to pay and Satisfie the said Debt & Charges. Wherefore they humbly pray'd relief by An Act to be past in their favour for that End And for that the truth of the Allegacōns of the said Robert Gray and John Budd are made Appeare to this Generall Assembly by Sufficient Testimony And therefore for that the said Robert Gray and John Budd and their families are thought fitt Objects of Charity and that their Lying in Goal Can be no benefitt to those p<sup>rs</sup>ons at whose Suit they are Imprisoned as af<sup>d</sup> & tho it may prove a ruin to their family and a burthen to the County It is humbly prayed that the said Robert Gray and John Budd may be relieved according to their prayer and that it

p. 436

may be Enacted And be it Enacted by the Authority Advice and Consent aforesaid that the said Robert Gray and John Budd upon their Surrendering up all their Estate upon Oath as aforesaid on the Condition & under the penalty af<sup>d</sup> enjoyned the said Samuel Lyle to any two of the Justices and to the Sherriff of Kent County for the use of the said Parties at whose suit they are now Detained in prison Save that the sherriff have a proportionable part of such Estates so to be surrendered up towards Discharge of his fees due to him on Account of the Imprisonment of the s<sup>d</sup> Robert Gray and John Budd at the suit of the said Parties for which they are now in custody It shall and may be lawfull for the said Sherr. and he is hereby required to discharge the said Robert Gray and John Budd Out of his Custody and the said parties are hereby debarred from any further Accōn or Actions ag<sup>t</sup> the said Robert Gray and John Budd On the Account for w<sup>ch</sup> they are now Imprisoned.

Liber J.L, 4  
Acts

An Act Reviveing an Act of Assembly of this Province Entituled an Act for Encouragement of Tillage and relief of poor Debtors & for Supplying some Defects therein

Acts of  
May, 1719,  
ch. 11  
(Revives  
1717, ch. 17)  
p. 437

Be it Enacted by the Right Hon<sup>ble</sup> the Lord Proprietor by and with the Advice and Consent of his L<sup>pps</sup> Governour and the uper & lower houses of Assembly and by the Authority of the same that the above Menconed act Entituled an Act for Encouragement of Tillage and relief of poor debtors made at a Session of Assembly begun and held at the City of Annapolis the twenty sixth day of Aprill Anno Dom One thousand Seven hundred and fifteen be and is hereby Revived and Continued in full force from and After this present Session of Assembly for and Dureing the term of three Years and untill the End of the next Session of Assembly which shall first happen after the End of the said Three Years and no longer

And be it further Enacted by the Authority advice & Consent af<sup>d</sup> that all & Every pson or persons who shall be desirious of takeing the benefitt of the Act aforesaid shall before the Discharge of his her or their body by Vertue of that Act first make his or her or their Corporall Oath to be to him her or them Administered by one Justice of the provinciall or two of the County Court, that he she or they have not, nor had at the time of his her or their being taken in Execution The particular Specie for which he she or they were prosecuted and then under Execution or any p<sup>t</sup> thereof more then what he she or they will pay to his her or their Creditor or Creditors if he or they think fitt to Except thereof, And be it further Enacted that in Case any person or persons so takeing the benefitt of the Act af<sup>d</sup> shall perjure themselves before such Provinciall or County Justices and be thereof Convict he she or they shall undergo the like paines and penalties as persons Convict of willfull & Corrupt Perjury.

Liber LL, 4  
Acts  
Acts of  
May, 1719,  
ch 13  
p. 440  
(The  
Proprietary  
dissented)

An Act for Relief of John Beall of Charles County Gent and  
Richard Beall a Minor.

Whereas Walter Bayne of Charles County Planter Deceased by  
Vertue of a warrant Issued Out of the Land Office the tenth day of  
December Anno Dom. Sixteen hundred Sixty three had Surveyed  
and laid Out for him a tract of Land lyeing in Charles County  
Called Durham Containeing Seven hundred and fifty Acres And  
afterwards to witt the Seventh day of September Sixteen hundred  
Sixty Six Obtained his Lordship the Right Honourable Cecilius late  
Lord Proprietor of noble Memory his Grant for the said Tract of  
Land under the Condicións of Plantations then in force, which Tract  
of Land was by the said Walter Bayne by his last will and Testa-  
ment in Writing bearing date the twelfth Day of Aprill Sixteen  
Hundred and Seventy and duely proved Given and devised unto his  
Daughter Elianor an Infant in fee Simple and Shortly after died and  
whereas after the death of the said Walter Bayne and dureing the  
minority of the said Elianor it was Surmised in the High Court of  
Chancery of this Province that the said Tract of Land Lay within  
Panguiah Mannor reserved for his Lordship the Lord Proprietor his  
Owne use whereupon a Scire facias was Issued out of the said Court  
in the name of the right honourable Charles late Lord Proprietor of  
Noble Memory Successor of the said Lord Cecilius returnable the  
tenth day of February Sixteen hundred Seventy three against the  
widdow and Heiress of the said Walter to appear in the said Court  
of Chancery to shew Cause why the said Grant should not be Can-  
celled and vacated to which the widdow of the s<sup>d</sup> Walter is said to  
have appeared by one Mathew Hill Her Son in Law a Person who  
by any thing that Appears was not Learned in the Law or in any  
wise Capable or Obliged to make any Defence for the said Infant and  
who was so far from makeing any that he Delivered and Surrendered  
the said Grant to be vacated which was accordingly Done. That the  
said widdow Imagining that the proceedings in Vacateing the said  
Grant were regular and Justifiable and the Suggeston whereon the  
said Vacation was founded was true either through her Ignorance  
in Business and legall Proceedings or Instigated by Those that  
p. 441 Expected or had procured the said Land from the said late Lord  
Proprietor to make the said Determination seeme plausible dureing  
the Infancy of the said Orphan Petitioned the said late Lord Charles  
to Grant her four hundred Acres in lieu of the said Seven hundred &  
fifty Acres which was Accordingly done by a Grant or Patent bearing  
date in the year Sixteen hundred Seventy Six but never Accepted  
of by the said Elianor or any Other Person Claiming under her And  
Whereas it hath been made Evidently Apparent to this Present  
Generall Assembly that there was no Reserve of Panguiah Mannor  
till a Considerable time after the Survey and Grant to the s<sup>d</sup> Walter  
Bayne the Conditions whereof appear also to have been by him



Complied with so that it is apparent that the decree of the High Court of Chancery for Vacateing the said pattent was irregular unjust and with Out the least foundation And whereas the said John Beall who Intermaried with the said Elianor and had Issue the said Richard in the year Seventeen hundred and five and the s<sup>d</sup> Elianor brought their Ejectment in the Provinciaall Court of this Province and had a speciall Verdict against one Edward Diggs Gent who Claimed the said Land findeing all the facts herein before mencōned, Whereupon the said Edward to prevent a Judgement being Given thereon procured an Injunction Out of the then high Court of Chancery to stay proceedings at Law untill a Reversall should be of the former Decree Given for the Vacateing the Grant of Durham which the said Chancellor instead of doing on a hearing and rehearing of the Cause gave a further Decree ag<sup>t</sup> the said Jn<sup>o</sup> Beall and his wife for the Affirmation of the former decree with out the least Couler reason or Justice and discouraged the said Jn<sup>o</sup> Beall from prosecuting a Review by Giving out that he would not Call himself fool by reversing his own decree. And whereas it is Represented and Proved to this Generall Assembly that the said Elianor is since the said Decrees departed this life that it is disputable whether the said decrees being of so long standing Can by the Ordinary rules of the Court of Chancery be reverst after the Death of the Parties to them and that the said Pattent being Vacated is not Sufficent Evidence to recover by at Common law so that It seems Impracticable for the said John Beall and Richard Beall to recover their right tho' unjustly w<sup>th</sup>held from them by the Cōmon Rules and Practice of the Courts of Law & Equity, and That it is thought unreasonable having a right thereto that they should be deprived of a remedy. Wherefore it is prayd that it may be Enacted And Be it Enacted by his Lordship the Right Honourable the Lord Prop<sup>ty</sup> by and with the Advice and Consent of the uper and lower houses of Assembly and the Authority of the same that the said Jn<sup>o</sup> Beall Dureing his Naturall life and the said Richard Beall and his heirs and Assignes for Ever shall and may by Vertue of this Act have hold and Enjoy as full & ample and Clear an Estate in the said tract of Land Called Durham as they or any of them should Could or might have if the said Grant thereof had never been Vacated or Cancelled any decree or Judgment in any Court of Law or Equity to the Contrary notwithstanding, And that the Sherriff of Charles County shall and may by Vertue of this Act put the said John into full and Quiet possession of the said tract of Land with its Appurtenances, And whereas the said Jn<sup>o</sup> Beall has been at an Insupportable Expence in the Vindication of his right to the p<sup>ro</sup>mises to the almost utter Ruin of himself & family notw<sup>th</sup>standing the Justice of his Cause and that it may be disputable whether he be not Barred of recovering his damages by the said Severall decrees Wherefore it is thought reasonable to

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Acts

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Liber LL, 4 Acts Obviate all disputes and Difficulties of that Sort To which End It is further Enacted by the Authority Advice and Consent aforesaid that he the said John Beall shall be Enabled to Prosecute any Suit or Suits at Law or Equity for the Recovery of his Damages and Costs as fully and Amply as he might have been had no rule or Decree been passed in the pmisses anything in such rule Order or Decree or any Act of Limitation to the Contrary notwithstanding

Acts of April, 1720, ch. 1 p. 474 [Other Acts of this Session are printed in Vols. 33 and 36 of the Archives] An Act Empowering Certain Comissioners & Trustees to Dispose of the remaining part of the personall Estates w<sup>ch</sup> were of Thomas Smithson Late of Dorchester County Gent & Tho<sup>s</sup> Smithson late of Talbot County Esq<sup>r</sup> Decēd, & to settle and Assess the Losses Damages and Costs by Thomas Hicks Gent<sup>t</sup> & John Davies son and Heir at Law of Jeremiah Davis Sustained and allso to Value the Lands whereof the said Thomas Smithson of Dorchester County and the said Thomas Smithson of Talbot County Died Seized and to dispose of so much of the said Personall Estates and the Lands as will Satisfie the said Thomas Hicks and the said John Davis for their Damages Losses and Costs Sustained by means of a Warranty of Lands from the said Thomas Smithson of Dorchester County and the said Thomas Smithson of Talbott County to the said Thomas Hicks & Jeremiah Davis made.

Whereas Thomas Smithson of Dorchester County Gent<sup>t</sup> and Thomas Smithson of Talbot County Esq<sup>r</sup> both decd by their Deed of Bargain and Sale bearing Date the Eight Day of June in the Year of our Lord God Sixteen hundred Eighty Seven and duly Executed acknowledged and recorded for the Consid<sup>n</sup> therein mentioned Sold & Conveyed unto the said Tho<sup>s</sup> Hicks and Jeremiah Davis two Tracts or pcells of Land Lying in Dorchester County the one Called Camberlake and the other Called Sectar both Containing Seven hundred & Sixty nine Acres of Land more or Less with a Generall Warranty that the same Thomas Hicks has been the Only pson prosecuted and put to Vast expence not only in Severall Actions in the Courts of Law and Equity within this pvince but allso in the Assembly by the heirs of one William Seward late of the said County decd who Claimed and recovered the said Land by a Decree in the high Court of Chancery as well ag<sup>t</sup> the said Thomas Hicks as the said John Davis notwithstanding all the Defence that Could be made, that the said Thomas Smithson of Dorchester County & the said Thomas Smithson of Talbot County are both Dead and their real and personall Estates so farr entangled & Claimed by so many psons that the said Thomas Hicks & John Davis by the Ordinary & Comon Course of Proceedings Cannot possibly recover the Damages they have Sustained in their Expences & the Loss of their Lands & that Consequently they will be remediless unless releived by an Act of Assembly to Subject and Charge the reall & personall Estates of the said

p. 475

Vendors with the same and where as the Commencem<sup>t</sup> of any Action or Actions at Laws or in Equity by the same Thomas Hicks and the same John Davis after the passing Such Act will not only put them to Very Great Expen<sup>c</sup>e and trouble but also be prejudiciall to the Heir or Heirs Devisee or Devisees of the said Thomas Smithson of Dorchester County & the said Tho<sup>s</sup> Smithson of Talbott County by encreasing Charges Looseing Time and Continuing it doubtfull & precarious how much of the said Estates may be and Remain beyond what may be Sufficient to Satisfie the said Tho<sup>s</sup> Hicks and John Davis their said Losses Damages Costs and Charges & that the most expeditious Method to prevent the said Inconveniencies will be appoint Trustees or Comissioners not only to ascertain what Damages the said Thomas Hicks & the said John Davis have Sustain'd by means or occasion of the p<sup>r</sup>misses but also to expose to Sale the Good and Chattells remaining unadministred as they can discover and get, and to the best advantage dispose of so much of the Lands & Tenements of the said Thomas Smithson of Dorchester County and the said Thomas Smithson of Talbott County as shall be Sufficient to reimburse the said Tho<sup>s</sup> Hicks & the said John Davis all their Losses Damages Costs & Charges Occasioned by the Loss of the said Lands.

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Acts

Be it Enacted by the right Hon<sup>ble</sup> the Lord Prop<sup>ry</sup> by and with the Advice and Consent of his Lord<sup>ps</sup> Govern<sup>r</sup> & the upper and Lower houses of Assembly and the Authority of the Same that the Goods and Chattells w<sup>ch</sup> were of the said Tho<sup>s</sup> Smithson of Dorchester County and the said Thomas Smithson of Talbott County that remain unadministred and can be discovered and had shall be & are by Virtue of this Act liable Subject & Chargeable with all & Singular the Damages, Costs, Charges & Expences that the said Thomas Hicks & John Davis or either of them have Sustained been att or shall be at Touching or Concerning the p<sup>r</sup>misses.

And be it Further Enacted by the Authority Advice & Consent afores<sup>d</sup> that Co<sup>ff</sup> Richard Tilghman of Queen Ann's County M<sup>r</sup> Foster Turbutt and M<sup>r</sup> Thomas Robins of Talbott County or any two of them shall be and are hereby appointed Comissioners or Trustees as well to settle and Assess the Losses, Damages, Costs & Expences afores<sup>d</sup> as to Sell & dispose of to the best bidder so much of the said Lands & Tenements as shall be necessary beyond what shall be discovered and had of the said Goods and Chattells to make the said Thomas Hicks & John Davis full Satisfaction & Compensation for their s<sup>d</sup> Damages, Losses, Costs Expences, & Charges and to make and duly Execute any deed or deeds Conveyance or Conveyances for the Confirmation of such Sale.

And be it further Enacted by the Authority Advice & Consent afores<sup>d</sup> that the Heir or Heirs, Devisee or Devisees of the said Thomas Smithson of Dorchester County and the said Thomas Smith-

Liber LL, 4 son of Talbott County shall by Virtue of this Act & any deed or  
 Acts deeds to be made to the said Thomas Hicks & John Davis or Either  
 of them & their Heirs duly Executed by the said Comiss<sup>rs</sup> be forever  
 barred from having or recovering any Lands, or Tenements to be sold  
 by the said Comiss<sup>rs</sup> by Virtue of & in Compliance with this Act any  
 Law Statute or usage to the Contrary notwithstanding.

p. 476 Provided also that in Case either of the Comiss<sup>rs</sup> aforesaid shall  
 depart this Life before the Execution and Determination of the trust  
 hereby in them reposed, That then the other two Surviving Com<sup>rs</sup>  
 or Trustees shall be and they hereby are Empowered to make Choice  
 of some other third person as a Comis<sup>r</sup> or trustee in the stead of the  
 said Com<sup>r</sup> or Trustee so Decēd w<sup>ch</sup> said third Comis<sup>r</sup> or trustee so  
 elected shall have Equal Right and Priviledge with the other two  
 Surviving Trustees or Coms<sup>rs</sup> and so as often as need shall require by  
 death of any one Comiss<sup>r</sup> or Trustee as aforesaid the two Surviving  
 Comiss<sup>rs</sup> or Trustees shall proceed Immediately in the Manner above  
 mentioned to the Election of another untill the trust by this Act in  
 them reposed shall be fully determined.

And be it further Enacted by the Authority Advice and Consent  
 aforesaid that in Case the Land devised by the will of the said  
 Thomas Smithson of Talbott County to Mary Wrightson widdow,  
 shall be sold by the Com<sup>rs</sup> or Trustees afores<sup>d</sup> that then it shall & may  
 be lawfull for the said Comissioners and they hereby are Empowered  
 to allow and pay to the said Mary Wrightson so much Tobbo<sup>o</sup> or  
 Money as they shall find she has paid for the Quitt Rents of the said  
 Land.

Provided Nevertheless and it is the true intent and meaning of this  
 Act that in Case the psonall Estates & Lands of the said Thomas  
 Smithson of Talbott County & Thomas Smithson of Dorchester  
 County shall be found Sufficient to Satisfie and pay all the Dam-  
 ages that have or shall be Sustained by means of the Warranty afore-  
 said besides the severall Lands and Negroes in the said Will men-  
 tioned given or intended to be given to the use of S<sup>t</sup> Michaels Parish  
 in Talbott County and to his Sister Dorothy the Wife of Michael  
 Fletcher & the heirs of her body & for want of such Issue to the use  
 of the Freeschool that then the said Comiss<sup>rs</sup> shall not in any wise  
 dispose of the same, but that they shall remain to the use of the said  
 Devises according to the Devises in the Will of the aforesaid Cot  
 Thomas Smithson.

Provided also that in Case the heir or heirs, devisee or devisees of  
 the said Col<sup>t</sup> Tho<sup>s</sup> Smithson of Talbott County, and Tho<sup>s</sup> Smithson  
 of Dorchester County after the said Comiss<sup>rs</sup> have valued the Lands  
 & personal Estates as aforesaid & assessed the Damages Costs &  
 Expences by the said Tho<sup>s</sup> Hicks and John Davis Sustained & paid  
 shall be minded or willing to pay and shall pay to the said Thomas



Hicks & John Davis their Damages and Costs as aforesaid or their proportion according to the Value of the Estates devised them that then in such Case such heir or heirs devisee or devisees shall have such Lands in the same manner they Could have held the same by the Will of the said Thomas Smithson of Talbott County and Tho<sup>s</sup> Smithson of Dorchester County as if this Act had never been made any thing in this Act to the Contrary notwithstanding Saving to the said Lord Prop<sup>ty</sup> his heirs & Successors, & all bodies Politick & Corporate and all others not mentioned in this Act their Severall and respective rights.

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Acts

An Act for the Naturalization of Herman Kinkee a Dutchman & his Children Peter Manadoe a Frenchman and his Children of Cecill County John Laviele a Frenchman of Calvert County, James Parandier & John Parandier of Charles County.

Acts of  
April, 1720,  
ch. 2  
p. 477

Be it Enacted by the Right honourable the Lord Prop<sup>ty</sup> by and with the Advice and Consent of his Lordships Governour & the upper & Lower houses of Assembly and by the Authority of the same, that Herman Kinkee of Cecill County a Dutchman born in Holland, Peter Manadoe in Cecill County born under the Dominion of the French King, John Laviele of Calvert County being Likewise born under the Dominion of the French King, James Parandier & John Parandier being Likewise born under the Dominion of the French King and all and Every of them and all their Children already born and hereafter to be born within this Province shall forever hereafter be adjudged Deemed and taken as true lawfull Free born Subjects, of the Crown of Great Brittain within this Province and be & are hereby Enabled to purchase have hold and Enjoy any real Estates of inheritance in this province and to hold maintain and Defend any Action or Actions, real or personal in any his Lordp<sup>s</sup> Courts of Record of this Province, and to have hold and Enjoy all Priviledges and Freedoms Whatsoever as any his Majestys Naturall born Subjects of this Province, any Law Usage or Custom to the Contrary notwithstanding.

An Act for the Relief of Ephraim Gover and to invest him with an Estate in fee Simple in the Lands therein Mentioned.

Acts of  
April, 1720,  
ch. 3

Whereas Thomas Holdsworth of Calvert County Gent. Deceased for and in Consid<sup>n</sup> of the Sum of Two hundred pounds Sterling to him in hand paid by Ephraim Gover of Calvert County planter did by his bond bearing date the Seventh Day of Aprill, in the Year of our Lord Seventeen hundred and Eighteen bind himself in the penalty of four hundred pounds sterlt, to sell and Convey unto the said Ephraim Gover, his heirs & Assigns for ever, three tracts of Land lying in Prince Georges County, one Called Dear bought, one other Called Mosshell bank, and the third Called Bacon Hall Contain-

Liber LL, 4 ing by Estimation, four hundred and Twenty Eight Acres in all w<sup>th</sup>  
 Acts a Speciall Warranty And Whereas the said Thomas Holdsworth  
 afterwards Died Intestate, without ever Executing any Conveyance  
 p. 478 of the premisses to the said Gover according to the Tenor of the said  
 Bond, Leaving Severall Young Children none of Sufficient age to  
 invest the said Gover with any Certain Estate in the said Land And  
 that it is represented to this Assembly that the said Gover for want  
 of a Conveyance thereof is deterred from making any Improvement  
 thereon receiving any Benefit by his purchase for a Considerable  
 Number of Years unless relieved by the Legislature.

Be it Therefore Enacted by the Right Hon<sup>ble</sup> the Lord Prop<sup>ry</sup> by  
 and with the advice & Consent of his Lord<sup>ps</sup> Gov<sup>r</sup> & the upper and  
 Lower houses of Assembly & by the Authority of the Same, that the  
 said Ephraim Gover his heirs and Assigns forever shall and may  
 by Virtue of this Act have hold and peaceably possess & Enjoy the  
 said Land, with all the Improvements, Appurtenances, & profitts &  
 Advantages thereunto belonging absolutely & Clearly Acquitted  
 released & discharged, from all the Right Title, Estate claim of  
 Dower or otherwise of him the said Thomas Holdsworth his heires  
 Ex<sup>rs</sup> and Adm<sup>rs</sup> and all other persons whatsoever Claiming from by  
 or under him or them, in as full and ample manner to all intents &  
 purposes, as if the same had been actually transferr'd by the same  
 Thomas in his life by deed or deeds indented acknowledged &  
 recorded as if the Wife of him the said Thomas had released her  
 Right of Dower According to Law, Any Law Usage Custom, or  
 want of such Deed and release to the Contrary Notwithstanding,  
 Saving to the said Lord Prop<sup>ry</sup> his heirs & Successors and all bodies  
 politick & Corporate & all others not mentioned in this Act their Sev-  
 erall & respective Rights.

Acts of An Act for the Vesting in the Rector and Vestry of William and  
 April, 1720, Mary Parish in Saint Maries County and their Successors, an  
 ch. 4 Estate in fee simple in the old Stadt house in S<sup>t</sup> Maries City in  
 Saint Maries County and the Lott of Land whereon the same  
 stands for the use of the said Parish forever.

Whereas the old Stadt House in the City of S<sup>t</sup> Maries Since the  
 Removal of the Seat of Government from thence to Annapolis is  
 wholly rendred useless to the province and for want of repairs in  
 Time is almost gone to ruin, and forasmuch as the Vestrymen of  
 William and Mary Parish in Saint Maries County, have petitioned  
 this present Generall Assembly, that they would be pleased to bestow  
 the same on the said Parish, for the making a Chappell of Ease  
 thereof (the Same being Convenient for the said Parish) and that  
 the same may be Confirmed to them and their Successors for the time  
 p. 479 being, together with the Publick Ground, whereon the same Stands,  
 to the use of the said Parish forever by an Act to be passt in their  
 favour.

Be it therefore Enacted by the Right honourable the Lord Proprietary by and with the Advice & Consent of his Lordships Governour and the upper and Lower houses of Assembly and the Authority of the same that the Rector and Vestry men of William and Mary Parish in Saint Maries County and their Successors forever henceforth shall and may quietly and peaceably have hold use occupy possess & Enjoy the said Stadt house and the Lott of Land whereon the same now Stands for & towards the repairing or Making thereof a Chappell of Ease for the use of the said Parish forever. Saving to the s<sup>d</sup> Lord Prop<sup>ty</sup> his heires & Successors & all bodies politick & Corporall & all others not mentioned in this Act their Severall & respective rights.

Liber LL, 4  
Acts

An Act to Enable Benjamin Duvall of Prince Georges County to Sell two hundred Acres of Land part of a tract of Land called Howertons Range & for entailing other Lands in lieu thereof.

Acts of  
April, 1720,  
ch. 5

Whereas Mareen Duvall Late of Ann arundell County by his Last Will and Testament in writing duly Executed, proved and Recorded Bearing the thirteenth day of August Anno Dom. Sixteen hundred and ninety four, gave to his son Benjamin Duvall a parcell of Land therein mentioned in these words following viz.

I give and bequeath unto my Son Benjamin Duvall Two hundred Acres of Land it being a Moiety or one half part of four hundred Acres of Land called and known by the name of Howertons Range, Lieing scituate & being in the County of Calvert afores<sup>d</sup> & that part or Moiety that lieth on the South side of the said four hundred Acres, it being Equally divided, To have & to hold the same unto him my said Son Benjamin & to the heires of his Body Lawfully begotten for ever and in Default of such Issue then my Will is that the same Moiety or part, shall fall or goe, to the next heir or heiress, of or from me legally descended, And forasmuch as the said Land is not only almost worn out, but Cut down & the Timber destroyed, but involved in troublesome Disputes, and for that the said Benjamin has made a very Advantageous Exchange w<sup>th</sup> one Robert Tyler of Prince Georges County, of one hundred and fifty Acres of much Valuable fresh and well timbred Land, being that part of a tract of Land that Lies in the North West Corner of a tract Called Darnalls Grove Lieing in Prince Georges County upon w<sup>ch</sup> the said Benj<sup>a</sup> Duvall is now making a Settlement in lieu of the aforesaid two hundred Acres of Land, he has prayed that notwithstanding the Severall Limitations of the Estate in and to the said Five hundred Acres of Land in the aforementioned Will he may be enabled by an Act of Assembly to make over a Good Estate in fee Simple of the said Land unto the said Robert Tyler and his heires forever, the said Robert Tyler Conveying by a Good Sufficient Deed, of Sale w<sup>th</sup> general Warranty unto the said Benj<sup>a</sup> Duvall the afores<sup>d</sup> one hun-

p. 480

Liber LL, 4  
Acts  
dred and fifty Acres of Land, under the same Limitations of the Estate therein, that the said Two hundred Acres of Land was by the afores<sup>d</sup> Will Subjected to, To that end hath prayed, that it may be Enacted, And Be it Enacted by the R<sup>t</sup> Ho<sup>n</sup>ble the Lord Proprietary by and w<sup>th</sup> the Advice and Consent of his Lordp<sup>s</sup> Governour & the upper & Lower houses of Assembly and the Authority of the same, that the aforesaid Benjamin Duvall be and is hereby Empowered to sell Assign Convey transferr & make over by deed of sale unto the aforesaid Rob<sup>t</sup> Tyler his heirs & Assignes forever a Good & Sufficient Estate in fee Simple of and to the above mentioned two hundred acres of Land being part of a tract of Land called Howertons Range in as full and ample manner to all intents and purposes as if the same by the aforementioned will had been given to him the said Benjamin & his heires forever without any Limitation in the said Will, anything in the said Will to the Contrary notwithstanding. Provided allways that at the same time that the afores<sup>d</sup> Robert Tyler his heires shall and do make over and Convey by a Good & Sufficient Conveyance with a Generall Warranty the aforementioned one hundred and fifty Acres of Land part of a tract of Land called Darnell's Grove in Exchange of the aforesaid two hundred Acres of Land unto the said Benjamin Duvall under the same Limitations & Restrictions, as the said two hundred Acres by the aforementioned Will and Subjected to.

And Be it further Enacted that the said Benj<sup>a</sup> Duvall and the heirs of his body lawfully begotten forever, and in default of such Issue the next heir or heiress from the said Marreen Duvall, the Testator legally Descended henceforth shall be & they are hereby Vested with the same Estate of in and unto the aforesaid one hundred and fifty Acres of Land part of Darnells Grove being already laid out & in the possession of the said Benjamin at the North west Corner of the said Land called Darnalls Grove, when so made over and Conveyed as afores<sup>d</sup> as was given and intended to be given in the afores<sup>d</sup> two hundred Acres of Land in the same manner as if the said one hundred & fifty Acres of Land had been given to the said Benjamin Duvall & the heires of his Body lawfully begotten for ever, and in default of such Issue then that the same Land shall fall or go to the next heir or heiress, from the said Marreen Duvall Legally descended by the will of the aforesaid Marreen Duvall Saving to the said Proprietarie his heirs Successors and all bodies Politick & Corporate & all others not mencōned in this Act their Severall and Respective Rights.

Acts of  
April, 1720,  
ch. 6  
p. 481

An Act for the relief of John Deavour of Baltimore County

Whereas John Deavour of Baltimore County planter hath by his humble petition sett forth that in or about the Year of our Lord Seventeen hundred and four he bought of a Certain John Mortimore Late of Calvert County Dec<sup>d</sup> two tracts of Land lying in Baltimore



County afores<sup>d</sup> the one Called Turkey Hills, granted for two hundred Acres, the other Called Strawberry hills granted likewise for two hundred Acres, both w<sup>ch</sup> Lying Contiguous one to the other, In Consideration Whereof the said John Deavour was to pay unto the said John Mortimore the sum of fifty pounds Sterl for the purchase of the same, In pursuance to w<sup>ch</sup> the said John Deavour did pay unto the said John Mortimore the sum of thirty seven pounds Seventeen shill and Six pence Sterl, and the said John Mortimore passed his Bond to the said Jn<sup>o</sup> Deavour, for the making over the said Land, as he should be required by the said Deavour or his Council Learned in the Law within the Space of one Month after the payment of the said Thirty Seven pounds Seventeen shill, and Six pence aforesaid but the said John Mortimore before the Land was made over, According to the tenor of his Bond, and since the Death of the said John Mortimore his Ex<sup>rs</sup> refused to make over the said Land Altho often thereto required, w<sup>ch</sup> said Ex<sup>rs</sup> are now deceased and the Estate of the said John Mortimore in such Circumstances that no pson will Administer thereon, whereby the said John Deavour might apply for a title to the said Land, or Satisfaction for the same, And furthermore it appears that Co<sup>t</sup> James Philips late of Baltemore County dec'd, having made a Resurvey of a tract of Land of a Prior date to the other two tracts aforesaid which take away Seventy Six Acres & a half of Land out of the other two tracts being the prime and best part of the whole four hundred Acres Containd in the two tracts aforesaid wherefore the said John Deavour prays it may be Enacted

And be it Enacted by the R<sup>t</sup> Hon<sup>ble</sup> the Lord Prop<sup>ry</sup> by & with the Advice & Consent of his Lordships Governour and the Upper & Lower houses of Assembly and the Authority of the same that the said John Deavour his heires & Assignes forever shall and may have & hold all the three hundred & twenty three Acres and a half of Land, or all the Residue of the four hundred Acres containd in the Grants aforesaid (not taken away by the said James Phillips) to him his heires & Assignes forever in fee simple as fully & absolutely, as if he had had a D<sup>eed</sup> with Generall Warranty for the same from the said Jn<sup>o</sup> Mortimore, together with all the Rights Profitts Benefitts & appurtenances thereto belonging Saving to the Chief Lord or Lords of the fee or fees, their rents and Services w<sup>ch</sup> shall or may arise or grow due on the same. And Be it further Enacted that in Consideration the prior Survey aforesaid having taken the said Seventy Six acres & a half of Land away from the said Deavour as aforesaid the said Devour shall be as well discharged from the Custody of the sherr as have discount for the remaining Seventeen pounds two shill<sup>s</sup> and Six pence the ball<sup>ce</sup> of the fifty five pounds ster. being the Equivalent of the said Seventy Six Acres & a half of Land as afores<sup>d</sup> taken away any Law Statute usage Custom to the Contrary Notwithstanding Saving to the said Lord Prop<sup>ry</sup> his heires &

Liber LL, 4  
Acts

Liber LL, 4 Successors and all Bodies Politick and Corporall and all others not  
 Acts mentioned in this Act their Severall and Respective Rights.

Acts of An Act for the Releif of Benjamin Howard in making Good the  
 April, 1720, Survey of Howards Purchase.  
 ch. 7

Whereas it is made appear to this present Generall Assembly by record and Sufficient Evidence Viva Voce that a Certain John Howard late of Ann arundell County in the Year Seventeen hundred and three put a Common Land Warrant for Sixteen hundred Acres of Land duly purchased out of his Lordships Land Office into the hands of Dutton Lane then one of his Lordships Deputy Surveyors of Baltemore County, to be laid upon Six hundred and forty Acres of Land lying near to the branch of Bush River upon a branch leading into Deer Creek and that the said Dutton Lane by Virtue of the same Warrant Surveyed for the said John Howard, accordingly a parcell of Land reputed to Contain Six hundred and forty Acres and for the beginning or first boundary of the said Survey, the said Dutton Lane then and there marked two Chesnutts and one Hickory and then run North Eighty Seven degrees and a half Easterly from the said Beginning two hundred and Six perches to a White Oak which he then marked as another bounded tree of the said Land and from thence South by East two hundred and fifty perches to a Red Oak which he then marked as another bounded Tree of the said Land and thence run North Seventy three Degrees West one hundred Perches to two white Oaks and a Spanish Oak all w<sup>ch</sup> the said Dutton Lane then marked as one other boundary of the said Land, and thence run South Seventy Seven degrees West two hundred and twelve perches to a Chestnutt tree w<sup>ch</sup> he then marked as another bounded Tree of the said land and thence run Various Courses and distances till by a Straight line to the first beginning it included the said Quantity of Six hundred and forty Acres, that in a short time after the said Survey the said John Howard made his last Will & Testament and devised the said Six hundred and forty Acres of Land by the name of Howards Purchase to his son Absolute Howard and died Leaving the said Absolute Howard and his Son Benjamin Howard Infants of tender Years, that shortly after his Decease and before the said Dutton Lane made any return, of the Certificate of the said Survey he fled from this Province to Carolina to avoid the prosecution of his Creditors that the said Absolute Howard is now dead whereby the Right of the said Six hundred and forty Acres descended to the said Benjamin Howard, that it sufficiently appears the said Dutton Lane was fully Satisfied his Just dues for his Services as if they had been perfectly Compleated and that he gave out in Speeches that he had made due return of the said Certificate,  
 483 but for that such Certificate appears not on Record and that it

appears to have been the Neglect of his Lordship the Late Lord Proprietors Officer that has been the Sole Cause of putting the said Benjamin to the Speciall Application for a Law to be made in his favour he has therefore petitioned this present Generall Assembly for releif. And for that it seems reasonable that the said Benjamin should be put in a Condition to obtain his Lordp<sup>s</sup> pattent for so much of the said Land as he has proved the bounds of w<sup>ch</sup> for want of Evidences to prove the particular Courses and Distances from the last mentioned bounded tree to the first beginning so as to Contain the said Six hundred and forty Acres he is Content to have described by a Straight line from the said Last to the first tree w<sup>ch</sup> will include but about three hundred and thirty one Acres. All which seeming to this Generall Assembly, most agreeable to right and Justice it is therefore humbly prayed that it may be Enacted.

Liber LL,  
Acts

And Be it Enacted by the R<sup>t</sup> honourable the Lord Prop<sup>ry</sup> by and with the Advice and Consent of his Lordships Governour and the upper and lower houses of Assembly and by the Authority of the same that the said Benjamin Howard his heires or Assignes have as Good a Right and be in the same Condition to obtain his Lordp<sup>s</sup> Patent in all respects, for the said three hundred and thirty one Acres of Land described as aforesaid as if a Certificate According to the Descriptions of this Act and the intent of the said John Howard had been duly returned and entered upon Record any Defect of a Certificate thereof or any latter Survey by Rich<sup>d</sup> Colegate of Baltemore County Gent, who has been heard to this Act or any former Law or practice to the Contrary in any wise notwithstanding, Saving to his Majesty his heires & Successors, and to the R<sup>t</sup> Hon<sup>ble</sup> the Lord Prop<sup>ry</sup> his heires and Successors & to all bodies politick & to all persons not mentioned in this Act their Just Rights.

An Act to invest an Estate in fee to John Clements of Queen Anns County in a Certain lott in the Town of Cambridge in Dorchester County

Acts of  
April, 1720,  
ch. 8  
p. 483

Whereas the aforesaid John Clements in the Year Seventeen hundred and one purchased of one Thomas Taylor of Dorchester County Dēcd the ninth lott at the Town of Cambridge in Dorchester County Containing three parts of an Acre of Land with one Dwelling house which formerly the said Thomas Taylor lived in as by the Deed thereof relation being thereto had may more fully and at Large appear.

And Whereas Co<sup>th</sup> Thomas Ennalls of Dorchester County has since the making the said Deed taken up the said Lott and pretends to hold an Estate in Fee in the same by Virtue of an Act of Assembly of this Province made in the Year one thousand and Seven hundred & Six entitled an Act for advancement of trade and erecting ports and Towns within this p<sup>vince</sup> of Maryland. And the said Thomas

p. 484

Liber LL, 4  
Acts  
Ennalls Since the taking up of the said lott has built a house on part thereof and some part of the said lott the said Eñalls has given to the Inhabitants of the County aforesaid to build a Court house on, on w<sup>ch</sup> there is a Court house now built so that the said John Clements is now wholly kept out of his Just right to the said lott, & for his releif in the premisses the said John Clements has petitioned this Generall Assembly, and for that the truth of the premisses is sufficiently made appear, and that the said John Clements Case most properly requires an Equitable releif by an Act to be past in his favour the Orig<sup>le</sup> Records of the said Town att the first laying out thereof in the Year Sixteen hundred Eighty four being not to be found, in which Records the said John Clements right remains, It is therefore humbly prayed that it may be Enacted.

And Be it Enacted by the R<sup>t</sup> Hon<sup>ble</sup> the Lord Prop<sup>ty</sup> by and with the advice & Consent of his Lordp<sup>s</sup> Govern<sup>r</sup> & the upper and Lower houses of Assembly & by the Authority of the same, that the said John Clemons shall have hold and enjoy an Estate in fee Simple to him his heires & Assignes for ever in the af<sup>d</sup> lott of Ground anything in the aforesaid Act of Assembly made in the Year Seventeen hundred & Six the taking up the said lott by the said Eñalls or the Improvements thereon made as aforesaid, or any other Law Statute usage or Custom to the Contrary in any wise Notwithstanding Saving to the said Lord Prop<sup>ty</sup> his heirs and Successors and all bodies Politick & Corporate and all others not mentioned in this Act their Severall and respective rights.

Acts of  
April, 1720,  
ch. 10  
p. 485  
An Act for giving further Time to the Severall Tradesmen who originally took up the new lotts within the Addition to the City of Annapolis to improve the same.

Whereas, it appears to this present Generall Assembly that the true intent and meaning of a Certain Clause Contained in an Act of Assembly made att a Session of Assembly begun and held att the City of Annapolis on the twenty second day of Aprill Anno Dom. One thousand seven hundred and Eighteen, Entituled an Act for the Setling all Disputes concerning the bounds of the Severall Lotts w<sup>th</sup> in the City of Annapolis and Confirming the same to the Respective takers up Improvers and purchasers thereof and for laying out Ten Acres of Land out of the Town pasture into twenty Lotts more to be added to the said City was purely designed for the Encouragement of poor Tradesmen to Come and inhabit within the City aforesaid and to Carry on their respective trades therein.

And Whereas Severall Tradesmen who were Originall takers up of the aforesaid new Lotts have petitioned this present Generall Assembly That some particular persons not living within the said City nor being tradesmen have taken the advantage of their not building on the Severall Lotts aforesaid w<sup>th</sup> in the time prescribed by the



Act of Assembly af<sup>d</sup> which the said Tradesmen Alledge in their petico<sup>n</sup> they were hindred from doing by being disappointed by those they depended on for Necessarys in building pursuant to the express words of the Act of Assembly af<sup>d</sup> And have Entred many of the said Lotts in their names and paid the proprietors of the Land whereon the said Lotts are laid out such Sum of Money as was taxt by the Com<sup>rs</sup> af<sup>d</sup> to be paid the said Prop<sup>rys</sup> for Each Lott Whereby the said persons are possessed of the said lotts and hold them as their Estate by Vertue of the Entrys by them Made

Liber LL, 4  
Acts

Wherefore this present Generall Assembly on Consideration of p. 486 the premises af<sup>d</sup> Do pray that it may be Enacted.

And Be it Enacted by the Right Ho<sup>n</sup>ble the Lord Prop<sup>ry</sup> by and with the advice and Consent of his Ldps Governour and the upper & lower houses of Assembly & the Authority of the same That the Severall Tradesmen who Originally took up the Severall new lotts Contained within the ten Acres added to the City of Annapolis shall have by Vertue of this Act the term of one Year and a day to be Computed from the End of this present Session of Assembly to build and improve on their said Lotts According to the Directions of the Act of Assembly aforementioned and that such building and finishing within the Time Allowed as af<sup>d</sup>, and having paid to the proprietors for Each lott by them entred the sum assessed by the Com<sup>rs</sup> Appointed to assess and award the same in the aforementioned Act shall by Vertue of this Act make and Vest a Sure and Indefeazable Estate in fee in and to the respective takers up and builders thereon and to their heirs and Assignes in all or any the af<sup>d</sup> twenty Lotts any Law Statute or Usage to the Contrary notwithstanding. Saving to the Lord Prop<sup>ry</sup> his heirs & Successors and all bodies politick and Corporate and all others not mentioned in this Act their Severall & Respective Rights.

An Act to Supply certain defects in the Conveying Lands from Henry Gibbs son and heir of Edward Gibbs sometime of Somersett County in the province of Maryland decēd to Benjamin Lawrence John Belt & Lucy his wife heirs of Benjamin Lawrence Sometime of Calv<sup>t</sup> County in the same pvince decēd.

Acts of  
April, 1720,  
ch. 11

Whereas Henry Gibbs son and heir to Edward Gibbs aforesaid in the province of Maryland decēd by his deed of bargain and Sale duly made & Executed bearing Date the tenth day of January An: Seventeen hundred and Eighteen for the Consid<sup>n</sup> of three Score & Seventeen pounds Sterl granted and Sold unto Benjamin Lawrence John Belt and Lucy his Wife heirs of Benjamin Lawrence aforesaid, a parcell of Land, Called Second purchase, scituate lying and being on the East side of Cheasapeak Bay on the South Side of Wicomoco River, and on the westernmost side of a Small Creek; Called Dashields Creek, bounded as followeth, beginning at a marked Gum,

Liber LL, 4 Standing by a Marsh Side, thence w<sup>th</sup> a Line Drawn North East up  
 Acts the said River for breadth Seventy five perches to a Marked red  
 Oak thence w<sup>th</sup> a line drawn South East up the said Dashields  
 Creek one hundred & forty perches to a Marked white Oak on the  
 Edge of a bank by the said Creeks Side, then w<sup>th</sup> a line drawn South  
 by East one hundrèd & forty perches to a Marked pine, being a  
 Corner tree of a parcell of Land Surveyed for Thomas Cox thence  
 w<sup>th</sup> a line drawn South west thirty Eight perches to a parcell of Land  
 formerly Surveyed for William Thomas of the Colony of Virginia,  
 p. 487 thence with a line drawn West South West one hundred & Seventy  
 perches to a Marked Oak & from thence w<sup>th</sup> a right line Drawn to the  
 first bounder, Containing by Estimation two hundred and fifty Acres  
 be the same more or less as by the Deed thereof duly executed and  
 acknowledged reference thereto being had may more fully appear,  
 But for as much as the said Benjamin Lawrence John Belt and Lucy  
 his Wife heirs as aforesaid omitted to gett their forementioned deed  
 from Henry Gibbs Son & heir to Edward Gibbs aforesaid recorded  
 in time according to the directions of an Act of Assembly of this  
 province for quieting possessions enrolling Conveyances and secur-  
 ing purchasers Estates through which Neglect the said Benj<sup>a</sup> Law-  
 rence John Belt & Lucy his Wife heirs afores<sup>d</sup> were advised that their  
 title of the said Land was precarious to remedy w<sup>ch</sup> the said Benjamin  
 Lawrence John Belt & Lucy his Wife heires afores<sup>d</sup> have peti-  
 tioned this present<sup>r</sup> Generall Assembly for releif in this behalf, and  
 for that the truth of the pmisses is Sufficiently made appear and  
 that the Consid<sup>n</sup> of the said Sale hath been duly paid, and that the  
 Petition<sup>rs</sup> Case most properly requires an Equitable releif by an Act  
 to be past in their favour, It is therefore humbly prayed that it may  
 be Enacted.

And Be it Enacted by his Lordp the Right Hoñble the Lord  
 prop<sup>ty</sup> by and with the advice and Consent of his Lordp<sup>s</sup> Governour  
 and the upper & Lower houses of Assembly & the Authority of the  
 same, that tlie said Deed may be recorded & Confirmed, and held to  
 be as Effectuall in Law to all intents Constructions & purposes  
 whatsoever as if the same had been duly recorded according to the  
 directions of the aforesaid Act for quieting possessions Enrolling  
 Conveyances and Securing purchasers Estates unless Sufficient Cause  
 be shewn to the Contrary the next Session of Assembly any thing in  
 the same Act or any other Law, Statute, Usage or Custom to the  
 Contrary notwithstanding.

Provided the said deed be recorded and the Alienation money paid  
 within Six months from the End of this Session of Assembly Sav-  
 ing to the said Lord Prop<sup>ty</sup> his heires & Successors and all bodies  
 politick and Corporate and all others not mentioned in this Act their  
 Severall & respective rights.

An Act Impowering a Committee to Lay assess & apportion the publick Levy for this present year Seventeen hundred & Twenty.

Liber LL, 4  
Acts  
Acts of  
April, 1720,  
ch. 12  
p. 488

Whereas this present Generall Assembly have for the Defraying the publick Charge of this province to the Sixteenth day of Aprill Instant raised a Certain Sum of Tobb<sup>o</sup> and money amounting to one hundred ninety four thousand nine hundred & twelve pounds of Tobacco Eighty one pounds one shil<sup>s</sup> & Nine pence Currency & forty seven pounds Nineteen shil<sup>s</sup> Two pence Sterling as by the Journall of the Committee of Accounts appears, but by reason more publick Charges may arise and grow due before the usuall & accustomed Time of payment which is the Tenth of November yearly at w<sup>ch</sup> Time again to Call & Convene the whole Assembly for that Occasion only, Considering the Great number of them, and the remoteness of their Habitations from the place appointed, would be Very Chargeable & Troublesome to the whole province in Generall for prevention Whereof.

Be it Enacted by the R<sup>t</sup> Honble the Lord Prop<sup>ry</sup>, by and with the Advice & Consent of his Lord<sup>ps</sup> Gov<sup>r</sup> & the upper & Lower houses of Assembly & the Authority of the same, that the honble Co<sup>ll</sup> William Holland Co<sup>ll</sup> Sam<sup>l</sup> Young, Philemon Lloyd Esq<sup>r</sup> and Tho<sup>s</sup> Bordley Esq<sup>r</sup> of his Lōrdps honourable upper house of Assembly, & M<sup>r</sup> Tho<sup>s</sup> Waughop, Coll: Nath<sup>l</sup> Hinson, Cap<sup>t</sup> Daniel Mariartee, Col John Mackall, Cap<sup>t</sup> John Fendall, the honble Rob<sup>t</sup> Ungle Esq<sup>r</sup> Co<sup>ll</sup> James Maxwell Cap<sup>n</sup> John Jones, Coll<sup>o</sup> Roger Woolford, Coll<sup>o</sup> Ephraim Augustine Herman, M<sup>r</sup> Rob<sup>t</sup> Tyler, and Capt. Charles Wright, of the honble Lower house of Assembly or the Major part of them be and appear at the City of Annapolis the first tuesday in October next then & there to Lay & assess the publick Levy already raised, and allso to allow Levy & assess what further Charges may Accrue w<sup>ch</sup> to them shall Justly appear to be due from the publick not exceeding two hundred thousand pounds of Tobacco Two hundred pounds Sterl and One thousand pounds Current money of this province more than what is already raised & Likewise to apportion Order & pay Out of the publick treasury of this Province the Sum of forty Seven pounds Nineteen shil<sup>s</sup>: and Two pence Sterl & Eighty one pounds one Shilling & Nine pence Curr<sup>t</sup> money of this province to the Severall persons to whom the same shall be due as by the Journall of the Committee of Accounts appears and a fair Journall of all their Proceedings to be delivered to the Clerk of the Assembly for Satisfaction of all persons therewith Concerned by the tenth day of November next and if it shall happen that his Excellency shall please to Convene an Assembly before the said first Tuesday in October next aforesaid then this present Act & Every Clause therein Contained shall be Void and of no force

Liber LL, 4 A Supplementary Act to the Act Intituled An Act for Settling a  
 Acts Revenue on her Majestys present Governour  
 Acts of

April, 1720, Whereas his Excellency John Hart Esq<sup>r</sup> our present Governour  
 ch. 13 hath Signified to this present Session of Assembly that in pursuance  
 (Amends to the licence he has had from his Sacred Majesty & the Lord Pro-  
 1714, ch. 2) prietor to go to Great Brittain for twelve Months in order to the Es-  
 p. 489 tablishing his health, he designs in a short time to depart this Prov-  
 ince And Forasmuch as some disputes might arise Concerning the  
 three pence  $\pi$  hogshead Settled on his Excellency John Hart Esq<sup>r</sup> our  
 present Governour by An Act made at a Session of Assembly begun  
 and held at the City of Annapolis the twenty second day of June  
 Seventeen hundred & fourteen Entituled an Act for Settling a  
 Revenue on her Majestys present [Governour] whether the afore-  
 mentioned three pence  $\pi$  hogshead shall or Ought to be paid to his  
 Excellency during his absence from this Province, to remove any such  
 Disputes that may hereafter arise thereupon it is prayed that it may  
 Be Enacted.

And Be itt Enacted by the R<sup>t</sup> hoñble the Lord Prop<sup>ry</sup> by and with  
 the advice & Consent of his Lordships Governour and the upper and  
 Lower houses of Assembly and the Authority of the same that an  
 Imposition of three pence Ster  $\pi$  hogshead upon all Tob<sup>o</sup> that shall  
 be exported out of this province by land or by Water, and three  
 pence Ster $\ell$  upon Every four hundred pounds of Tobb<sup>o</sup> be it in  
 Chest or Case from the time that his Excellency John Hart Esq<sup>r</sup> our  
 present Govern<sup>r</sup> shall depart this province untill the full end of  
 twelve months after or untill his Comission for Lieutenant Gov-  
 ernour of this province, shall be actually Superseaded which shall  
 first happen, may be raised Levied & paid to his Excellency John  
 Hart Esq<sup>r</sup> for his own use by the master of Every Ship or Vessell or  
 other  $\pi$ sons trading into or Living in this  $\pi$ vince in Ster $\ell$  money of  
 Great Brittain or in bills of Exchange att the Election or Choice of  
 the said Master or others to be Collected by the Navall Officer of the  
 Port or district where such Ship or Vessell shall enter or such other  
 person as his Excellency shall think fitt to Appoint.

Acts of An Act to Confirme a Deed of Bargain and Sale from Francis  
 April, 1720, Swanson to Thomas Plummer.  
 ch. 16  
 p. 492

Whereas Francis Swanson by his Deed of Bargain and Sale for  
 the Consideration therein mentioned which he had and Received bear-  
 ing Date the Fifteenth Day of March in the Year of our Lord God  
 Sixteen hundred and Ninety four sold and Conveyed unto the said  
 Thomas Plumer a parcell of Land formerly lying in Calvert County  
 but now In Prince Georges County Containing one hundred Fifty  
 acres and being part of Swansons Lott which Deed was Indented and  
 Duely acknowledged but not Recorded according to Act of Assembly  
 and that the said Francis is Either Dead or Departed this Province



so that he Cannott be found to Confirm the said Sale or Supply the Defect of Recording the said Deed. Liber LL. 4  
Acts

Be it Enacted by the Right Hon<sup>ble</sup> the Lord Proprietor by and with the advice and Consent of his Lordships Governour and the Uper and Lower Houses of Assembly and the authority of the Same That the said Deed and Every article Clause and Covenant therein shall be as Good Effectual and valid in Law to all Intents Constructions and purposes whatsoever as if the same had been actually Recorded according to the Express Laws of this Province any Law Statute Useage or Custome to the Contrary notwithstanding.

Provided that the said Deed shall be Recorded in Prince Georges County Court within six months from the End of this Sessions of Assembly, Saving to the Lord Proprietor his heirs and Successors and all bodies Pollitick and Corporate and all others not mentioned in the within bill Particularly the Heir at Law of John Gerrard late of Prince Georges County Gentleman Deceased their Severall and Respective Rights. p. 494

A Supplementary Act To the Act for ascertaining the Bounds of Land within this Province.

Whereas severall Inconveniences have been Complained of to this Generall Assembly in Relation to abuses Suffered by the too Arbitrary Power Given the Commissioners by the said Law, for prevention whereof and to Supply some other Defects therein It is humbly prayed that it may be Enacted, And be it Enacted by the Right Honourable the Lord Proprietor by and with the advice and Consent of his Lordships Governour and the Upper and Lower houses of Assembly and the authority of the same That Three freeholders in Each County within this province who are best skilled in the art of Surveying and best acquainted with the nature and Design of Antient Surveys such as the Governour and Council for the time being shall think proper shall be Commissioned and Impowered under the Great Seale used in this Province by the Governour for the time being to Review any Tract or Tracts of Land the Bounds Whereof have heretofore been ascertained by Land Commissioners and Judgment Given them or which hereafter shall be ascertained by the Land Commissioners of the first view for their Respective Countys upon any Appeale to them made by any Complainant or Defendant who shall find themselves agrieved by such Judgment which said Commissioners to be appointed or any Two of them shall have full Power and Authority to appoint Require and Command such Officers Evidences & assistance to attend them in the Execution of their Commission as are appointed to attend the Commissioners on the first view by the before Recited Act which said Officers Evidences and Assistants shall be under the same Restriction

Acts of  
Oct. 1720.  
ch. 17  
(Amends  
1718, ch. 18)  
[The  
Proprietary  
dissented to  
this Act]

Liber LL, 4 tions and Penalties upon their non-attendance, and have Like fees  
Acts and allowances with those who attend the Land Commissioners on  
the first view, and to ascertain in what time appeales shall be made,

Be it Enacted by the authority aforesaid by and with the advice and  
Consent aforesaid that any Complainant or Complainants Defendant  
p. 495 or Defendants that are allowed an appeale by this Act shall Enter  
their appeale within one hundred and Fifty Days after the End of  
this Present Sessions of Assembly or within one hundred and Fifty  
Days after such Judgm<sup>t</sup> order or Decree hereafter to be made or  
Given. And be Further Enacted by the authority af<sup>d</sup> by and with  
the advice and Consent af<sup>d</sup> that the said Commissioners of Review  
or any Two of them after application to them made by any Com-  
plainant or Complainants Defendant or Defendants as af<sup>d</sup> shall  
appoint a Certain time not Exceeding Sixty Days after such appli-  
cation to go upon the Land or Lands in Dispute and haveing given  
Due notice thereof to the Contending Parties to appear and make  
good their Severall allegations shall then and there proceed with all  
Convenient Speed to Review the Bounds of the Lands so ascertained  
and upon Mature Consideration of the Allegations of the Parties  
Examination of Evidences and Runing the Lines of the said Lands or  
any other adjacent Lands for their Better Information Reverse or  
Confirm the Judgment order and Decree of the Land Commissioners  
aforesaid and Give such Judgment therein as the Case shall Require.

And be it Further Enacted by the authority af<sup>d</sup> by and with the  
advice and Consent that It shall and May be Lawfull for the Comm<sup>rs</sup>  
of Review upon Confirming any Judgment of the Land Commis-  
sioners to assess the Costs and award Execution for the same  
against the appealant but upon a Reversall of such Judgment as  
aforesaid that It shall and may be Lawfull for the said Commis-  
sioners of Review to mark or Cause to be markt such other boun-  
daries to the Land or Lands in Dispute as to them shall seem meet  
and Cause Three fair Platts and Certificates thereof to be made by  
the Surveyor, one for Each of the Contending Parties and the other  
to be Entred in a Sufficient Book to be procured at the Charge of the  
Respective Countys for that Purpose and Lodged among the Records  
Thereof, and to assess not only all such Costs and Damages as may  
have accrued upon the Review but also all Cost and Damages which  
the appealant Expended or Suffered by the Judgment order or  
Decree of the Land Commissioners as aforesaid and order Execu-  
tion thereon against the Defendant.

And be it Enacted by the authority aforesaid by and with the Ad-  
vice and Consent aforesaid that upon any such Reversall and ascer-  
taining the Bounds of any Land as aforesaid it shall and may be  
Lawfull for the Commissioners of Review to put the appellat and  
appellants into Quiet Possession of the Lands and Tenements Con-  
tained within the said Bounds with a Saveing to all psons who may

have a Better Right to all or any Part of the said Land Whether by Superiority of Title, or Priority of Survey which also shall be a Rule to the Land Commissioners of the first view any thing in this or the former Act to the Contrary notwithstanding. Liber LL, 4  
Acts

And be it Enacted by the authority advice and Consent aforesaid that the Judgment order & decree of any Commissioners of Review as afores<sup>d</sup> shall be finall Saveing to all persons their Right of Appeale to England In such Cases and in such manner as the Laws of Great Brittain and this Province Allow of. And be it further Enacted by the authority af<sup>d</sup> by and with the advice and Consent af<sup>d</sup> that In Case any of the Commissioners of Review should be Related to any of the Contending Parties or be any ways Interested in the Lands in Dispute before them, or should Die or should have been a Judge before on the Determination of the Bounds of any such Lands then in such Cases it shall and may be Lawfull for the Commissioner or Commissioners not Related or Interested or Surviveing or haveing been a Judge before as afores<sup>d</sup> to Call to his or their assistance one or two (as the Case shall Require) freeholders of the same County such as he or they shall approve of not being any ways Related or Interested as af<sup>d</sup> who shall be thereby Impowered (on Quallifying him or them Selves by Taken the Oaths by this act Directed) together with such Commissioner or Commissioners to Review the said Land or Lands and proceed to the Determination of the Bounds thereof and other Requisites in all and Every Respect as fully and amply to all Intents and purposes as the said Commissioners had they not been Related Interested or Dead as aforesaid Could or might have Done and the Like method to be used where a Choice is made of the Land Commissioners upon the first view by the Contending Parties, And forasmuch as it may sometimes happen upon the Exterior Bounds of Countyes that some of the Lines of Lands in Dispute may Run into the next adjacent County or that it may be necessary to Run the Lines into some Lands Lying in such County in order to find the Line Bounds of the Land in Controversy in all such Cases it shall and may be Lawfull for the Comm<sup>rs</sup> of Review or Land Comm<sup>rs</sup> to Cause such Lines to be run and to Settle the bounds of Land in Dispute notwithstanding some of the Boundaries may be in such adjacent County. p. 496

And be it Further Enacted by the authority af<sup>d</sup> by and with the advice and Consent af<sup>d</sup> that the Com<sup>rs</sup> of Review or any one of them shall meet at their Respective County Court houses the second Day of Every Court and their Sit as a Court to Receive appeals from the Judgm<sup>t</sup> of the Land Comm<sup>rs</sup> and shall Cause their Clark (to be by them appointed) to Enter such Appeale Together with the time appointed for their meeting on such Land.

And be it Further Enacted that such Commissioners of Review for their attendance on the Determination of such appeals shall be

Liber LL, 4 allowed the sune of one hundred pounds of Tobacco p Day to Each  
 Acts Commissioner as is allowed by the former Law to the Comm<sup>rs</sup> of the  
 first view and no more and that any of the Land Comm<sup>rs</sup> of Review  
 as af<sup>d</sup> or any of the Comm<sup>rs</sup> made Choice or appointed upon the first  
 view after having Qualified themselves according to this and the  
 former Law who shall Refuse or neglect to attend at the time and  
 Place appointed for such view or Review not having a Reasonable  
 Excuse shall be fined the Sune of five hundred pounds of Tobacco  
 to be Recovered in the Right Hon<sup>ble</sup> the Lord Proprietors name in  
 any County Court within this Province by action of Debt Bill Plaint  
 p. 497 or Information and applyed towards the Support of Publick Schools  
 in such County where such Commissioner or Commissioners shall  
 Reside.

And be it further Enacted by the authority advice and Consent  
 aforesaid that the Commissioners of Review appointed by this act  
 shall Qualifie themselves by Takeing The Severall Oaths appointed  
 by Law and also make the Declaration Commonly Called the Test  
 and Subscribe the same and the oath of abjuration and also Take the  
 following Oath Viz: I, A. B. Do Swear that I will Justly and  
 Truly Execute the Powers and authorities to me given by the Acts  
 of Assembly for ascertaining the Bounds of Land within this  
 Province according to the best of my skill Knowledge and under-  
 standing without fear favour or Affection So help me God, Which  
 said Comm<sup>rs</sup> shall have Recourse to a Certain Clause in the afore-  
 said act of Assembly for ascertaining the Bounds of Land within  
 this Province prohibiting Loquacious advocates to plead before them  
 and are by this act obliged to Conform Strictly to the said Clause  
 in Every matter and thing therein Contained.

Provided Nevertheless that in Case any Person or Persons now  
 under Execution or that shall hereafter be Taken in Execution for  
 any Costs or Damages awarded by the Comm<sup>rs</sup> of the first view, and  
 shall be Desirous to Appeall to the Comm<sup>rs</sup> to be appointed by this  
 act That it shall and may be Lawfull for the sheriff in whose Cus-  
 tody such person or persons shall be, and he is hereby Oblidged to  
 Discharge such Person or persons Imediately out of Execution upon  
 their Giveing good Security for payment of all such Costs and  
 Damages for which they are or shall be In Execution in Case they  
 Do not Enter and Prosecute their appeall According to the Direc-  
 tions of this Act or that it shall not be otherwise Decreed by the  
 Comm<sup>rs</sup> of Review. And for the better understanding what Person  
 or Persons shall be accounted of Kindred to the Parties Plf<sup>ts</sup> or  
 Defendant Makeing application to the first Comm<sup>r</sup> or Comm<sup>rs</sup> of  
 Review, and for Direction to the said Comm<sup>rs</sup> Therein.

Be it Enacted by the authority afores<sup>d</sup> That in all such Cases the  
 Comm<sup>rs</sup> appointed on any view or Review af<sup>d</sup> shall have Recourse  
 to the Table of Marriages as a Directory therefore.



An Act for the naturalization of John Peter Zenger of Kent  
County Printer and his Children.

Liber LL, 4  
Acts  
Acts of  
Oct. 1720,  
ch. 18  
p. 498

Be it Enacted by the Right Honourable the Lord Proprietor by and with the advice and Consent of his Lordships Governour and the uper and Lower houses of Assembly and the authority of the same that the said John Peter Zenger being an alien Borne in the uper Palatinate on the Rhine, and all his Children already borne and hereafter to be Borne within this Province shall for ever hereafter be adjudged Deemed and Taken as his Majesties true Lawfull free-born Subjects of this Province and that they and Every of Them by the authority af<sup>d</sup> be Enabled and adjudged To all Intents and purposes to Demand and Challenge have hold and Enjoy any Lands Tenements Rents and Hereditaments to Which They or any of them might in any wise be Entitled as if they and Every of Them had been his Majestyes free and naturall Borne Subjects and Leige people of this Province, and also that they and Every of Them be Enabled to maintain prosecute avow Justifie and Defend all manner of accōns Suites pleas plaints and other Demands whatsoever as Liberally frankly freely fully Lawfully and Securely as If they and Every of Them had been his Majesties naturall Borne Subjects and Leige People of this Province any Law Statute Usage or Custome to the Contrary in any wise Notwithstanding.

An Act for Confirmation of Certain Deeds of Sale To William  
Mathew Esq<sup>r</sup> of Lands in Baltemore County.

Acts of  
Oct. 1720,  
ch. 19  
p. 498

Whereas a Certain W<sup>m</sup> Mathew of Martin in the County of Surrey Esq<sup>r</sup> Purchased of a Certain Paul Collins, Samuel Palmer, Rich<sup>d</sup> Hutchens, Sarah Hutchens, Thomas Cleaver, Susannah Cleaver, John Watson, and Alice Watson, Sundry Tracts of Land in Baltemore County as by the Deeds Thereof by Way of Lease and Release Entered on the Land Records of the Provincial Court of this Province in the Book Marked T. P. number I from Page the two hundred & fourtieth to the Two hundred and fifty third of the same Book & by the originall Deeds produced To this Present Generall Assembly appears Which Deeds appears to have been Duly proved to be the acts and Deeds of the said Parties And Whereas the said William Mathew by his Power of Attorney Duely Executed & Proved Empowered Rich<sup>d</sup> Bennett and Tho<sup>s</sup> Bordley Esq<sup>rs</sup> to sell and Dispose of the said Lands in the said Deeds mencōned who according To The Powers to Them Given Did agree for and sell the same Lands to a Certain Josias Middlemore of Baltemore County.

p. 499

But That when the said Attorneys where about to Convey the said Lands over to the said Middlemore they perceived that tho the said Deeds from Collens and others to the said Mathew were Duly Proved Yet that the same had never Been Duely Acknowledged by the Attorneys appointed to Do the same one of which to witt William

Liber LL, 4  
Acts Coursey Esq<sup>r</sup> was then Dead, Another to witt Wornel Hunt Esq<sup>r</sup> gone to Reside in Some of west India Islands & the Third and only one Remaining to Witt Charles Carroll Esq<sup>r</sup> then Lying on his Death Bed so near Departing that altho the said Tho<sup>s</sup> Bordley one of the Att<sup>ys</sup> obtained the favour of a provincially Justice to Come to Annapolis on purpose To Take the said Charles Carrolls Acknowledgement he was too farr Spent to be Troubled therewith and for that the said Rich<sup>d</sup> Bennett and Tho<sup>s</sup> Bordley Esq<sup>rs</sup> as attorneys aforesaid as also the said Josias Middlemore have petitioned this Present Generall Assembly for the Supplying the Omission of the Acknowledgment of the Deeds aforesaid and have made good their Allegations it is prayed it may be Enacted And be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and Consent of his Lordships Governour and the Uper and Lower houses of this Assembly and the authority of the same that the aforementioned Deeds to the said William Matthew his heirs and assignes and the Records Thereof be and [are] hereby Decleared to be as Effectuall in Law to all Intents Constructions and purposes as if the Deeds had been Duly acknowledged before the Recording thereof and that such acknowledgments had been Duely Recorded with the same Deeds and also that the said Josias Middlemore have as absolute an Estate in the Lands so to him sold as af<sup>d</sup> as If such acknowledgements had been made and Recorded or this act had Passed to Supply the Defect thereof before the said Sale and Conveyance made unto the said Josias Middlemore any omission or Defect of Acknowledgment of the said Deeds or of the Recording thereof or the act Entituled an Act for Quieting Possessions Enroleing Conveyances and Secureing the Estates of Purchaseors or any other Law Statute useage or Custome to the Contrary Thereof in any wise notwithstanding. Saveing to his Majesty his heirs and Successors and to the Ho<sup>on</sup>ble the Lord Proprietary his heirs and Successors and to all Bodies Politick and Corporate and to all Persons not named in this Act their Just and Legall Rights

Acts of A Supplementary Act to the Act to Limitt the Continuance of acc<sup>o</sup>ns  
Oct. 1720, in Severall Courts within this Province and ascertaining the  
ch. 20 manner of Takeing the Evidence of Sea fareing men and for Grant-  
p. 300 ing Appeals from the Chancery Court to the Governour and  
(Amends Council.  
1718, ch. 10)

[Repealed  
by 1721,  
ch. 14]

Be it Enacted by the Right Honourable the Lord Proprietor by and with the advice and Consent of his Lordships Governour and the Uper and Lower houses of Assembly and the authority of the same that all actions now Depending or hereafter to be Brought in any of the Courts of Law within this Province may be Continued untill the End of the fourth Court after the appearance Entred to such actions and no Longer under the Penalties in the above men-

tioned act and also that Whereas by the said Act it is Enacted that no action Brought in the Chancery Court shall be Continued Longer then Twenty five months from the Return of the Writts or other process all such actions now Depending or hereafter to be brought may be Continued for the Space of thirty months instead of the twenty five months in the said Law mentioned Excepting always where Evidences are Wanting from beyond Sea as by the same Law is Provided. Provided allways that no Judgment Rendred to be Rendred upon the Act or Default of any suitor or Suitors in pursuance of the aforementioned Act shall aid or be Construed to aid any errors in the proceedings of such Suits which have hapned before such Act or Default on which such Judgments are or shall be Rendred any Thing in the s<sup>d</sup> first mencōned act to the Contrary notwithstanding.

Liber LL, 4  
Acts

An Act for Granting unto Edw<sup>d</sup> Smith of the City of Annapolis Sawyer one hundred and Twenty foot of Ground in the same City to Keep a Sawyers Yard on for the Encouragement of his Trade.

Acts of  
Oct. 1720.  
ch. 21

Whereas Edward Smith of the City of Annapolis Sawyer hath for the Term of Eight Years or more followed the Business of Sawing and Errected a Saw house for that Purpose whereby the said City has been Greatly Benefitted and whereas the said Edw<sup>d</sup> Smith in Consideration of the Difficulties he has mett with att First, his Continuall Industry in his Calling ever since till now, and for his future Encouragement in the same, by his petition to this house has Desired a grant of a Certain peice of Ground whereon his the said Smiths Sawhouse now Stands Containing one hundred and Twenty Foot in Length fronting the Water and Joyning upon a peice of Ground formerly Vested by an Act of Assembly on a Certain Robert Johnson Shipwright, for the Encouragement of his Trade.

P. 501

Be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and Consent of his Lordships Governour and the uper and Lower houses of this present Generall Assembly and the Authority of the same That a peice of ground Containing one hundred and Twenty foot in Length fronting the water and Beginning at the Distance of Twenty foot from the Bounds of a peice of ground formerly vested by an Act of Assembly on a Certain Rob<sup>t</sup> Johnson Shipwright (which Distance between the two Peices of Ground af<sup>d</sup> shall be and serve for a Landing place for the Conveniency of the Neighbourhood) be Granted to the said Edw<sup>d</sup> Smith and his heirs for Ever according to the prayer of his Petition Provided that the said Edw<sup>d</sup> Smith his heirs or assignes Do build or Cause to be built, and Keep or Cause To be Kept in good Repaire on the said Ground a good Saw house to go with Two Saws and that he or they Saw Yearly and Every Year five Thousand foot of Plank or Scantling

Liber LL, 4 in the said Saw yard and pay the Sume of five shillings p annum  
 Acts Rent To the Corporation of the City of Annapolis and pay The  
 proportionable part of the Purchase money To the proprietors  
 Thereof in failure of which or any of the Particulars above mentioned  
 the said Corporation shall and may Re Enter upon the said Land any  
 Thing to the Contrary in this Act notwithstanding.

Acts of An Act for the Confirmation of the Land therein mentioned To  
 Oct. 1720, Rich<sup>d</sup> Bennet Esq<sup>r</sup>  
 ch. 22

(Repealed  
 by 1753,  
 ch. 24)  
 p. 502 Whereas Martram Wright was Seis'd in his demesn as of Fee of  
 a parcell of Land Called Bolton on Turkey Point and by Deed of  
 Bargain and Sale or some other Conveyance Dated the Two and  
 Twentieth Day of Aprill in the year Sixteen hundred and ninety two  
 Sold and Conveyed the same to one Edw<sup>d</sup> Chilton and the s<sup>d</sup> Edw<sup>d</sup>  
 Chilton the Fourth Day of Octob<sup>r</sup> following sold and Convey'd the  
 same to Lionel Copley Esq<sup>r</sup> Decēd which Land for the Better  
 Security of paying the Consideration was Reconvey'd by the said  
 Copley to the said Chilton with a Clause or proviso of Redemption  
 upon payment of the Consideration money and the said Copley dyed  
 w<sup>th</sup>out Ever paying one peny for the said Land Whereupon the said  
 Chilton brought an Action of Tresspass and Ejectment for the same  
 & Recover'd the Possession thereof in the provinciall Court in  
 October Sixteen hundred and ninety seven & afterwards by Deed  
 Indented and executed Dated in December Anno Dom: Sixteen hun-  
 dred and ninety Eight sold and Convey'd the s<sup>d</sup> Land to Peregrine  
 Brown Late of London Merchant who for the Better Confirmation  
 of his Title thereto obtained a Release from the heir at Law of the  
 said Lionel Copley & afterwards sold and Convey'd a moyety  
 thereof to one Thomas Robinson who some Time afterwards Died  
 Considerably indebted to the said Peregrine Brown as Evidently  
 appeared to this p<sup>s</sup>ent Generall Assembly and Brown Became very  
 Considerably indebted to the Crown by Sunūy Bonds & Dying  
 Devised the said Land to Margaret<sup>t</sup> his wife who Together w<sup>th</sup>  
 Joseph Brown son and heir of the said Peregrine Towards Satisfying,  
 the Money Due to the Crown assigned over all the Lands of the said  
 Peregrine Brown in Maryland & all his other Effects in Trust to  
 and for the use of the Crown whereby the Debt of the said Robinson  
 to the said Peregrine Brown became vested in the Crown & his Land  
 Subjected to the payment Thereof The Trustees appointed to Sell  
 & Dispose of Browns Estate haveing fully and Amply authorized  
 Maurice Birchfield Esq<sup>r</sup> Survey<sup>r</sup> Generall of the Southern District  
 of America & Joseph Brown Son & heir of the said Peregrine Brown  
 to sell and Dispose of the same by vertue Whereof the said Birch-  
 field & Brown on the Eight Day of June Seventeen hundred and  
 Seventeen for and on the behalf of the Crown sett up the said Land  
 to Publick Sale and the s<sup>d</sup> Rich<sup>d</sup> Bennett being the Highest Bidder



purchas'd the same w<sup>th</sup> the negroes & Stock thereon for the sume of five hundred and fifty pounds Sterling, And Whereas in the Conveying the said Land from one person to another the Directions of the Act of Assembly for Quieting possessions & securing the Right of Purchasers have not been strickly pursued in haveing the severall Deeds & Conveyances herein before mentioned acknowledged and Recorded within the time Limited by that act, and that altho The Estate of the said Robinson as Debtor to Brown is Lyable to be Seized toward Satisfying the Crown in and of the said Browns Effects yet that the usual Course of Law to Charge the same hath not been Taken by the Crown which and the Defects in the Conveyances allready mentioned may Render the Estate of the said Richard Bennett in the said Land Disputable, Wherefore it is Most Humbly pray'd That to avoid the same and to Coroborate the said Bennetts Purchase from the Crown It may be Enacted and Be it Enacted by the Right Honourable the Lord Proprietary by & with the advice and Consent of his Lordships Governour [and] the uper and Lower houses of Assembly and by the authority of the same that the said Richard Bennett his heirs and assignes for ever shall be by Vertue of his said purchase & This Act Seis'd of a sure and Indefeazable Estate of Inheritance in Fee Simple in the said Land and Every Part Thereof in as full and Ample Manner as he should Could or Might be If the Severall Deeds and Conveyances herein before mentioned had been Duly Executed acknowledged and Recorded according to the Intent meaning and Directions of the Laws of this Province and as If the usual Course of Law had been Used or Taken to Charge the Estate of the said Robinson with the money Due to the said Brown to the Crown any Defect neglect or Omission Law Statute Usage or Custom to the Contrary in any wise notwithstanding Saveing to the Right Hon<sup>ble</sup> the Lord proprietarie his heirs and Successors and all Bodies Politique and Corporate and all others not mentioned in this Act their Severall and Respective Rights

Liber LL, 4  
Acts

p. 503

A Supplementary Act to the Act for Relief of Thomas Manning of Calvert County.

Acts of  
Oct. 1720,  
ch. 23  
(Amends  
1707, ch. 3)

Whereas at a Session of Assembly begun and held at the Town and Port of Annapolis in the County of Ann Arundell the Twenty Sixth Day of March Anno Dom. Seventeen hundred & Seven An Act of Assembly was then made Entituled an Act for Relief of Thomas Manning of Calvert County, where in among other things therein contained, Richard Johns and George Harris two of the Principall Creditors of the said Thomas Manning were impowered to act as Commissioners or Trustees in Discharge of Severall Matters required of them by that Law, But forasmuch as the said Thomas Manning by his humble Petition to this Present Generall Assembly has sett forth that by reason of some accidents that happened after the makeing the aforementioned Act he was rendred incapable of performing what on

Liber LL, 4 his part was by the aforesaid Act required of him whereby his Creditors have not reaped the Benefit that by the said Act was intended them and that he the said Thomas Manning is still willing to perform  
 Acts  
 , p. 504 all that was by the before mentioned Act Enjoy[n]ed him Wherefore he humbly Supplicated this present Generall Assembly that they would be pleased to renew the said Act and that some other Persons may be appointed in the roome of those that were appointed by the former Act they being since decēd, all which Seeming to this present generall Assembly to be just and Reasonable Its humbly prayed that it may be Enacted.

And Be it Enacted by the right Honourable the Lord Proprietor by and with the advice and Consent of his Lordships Governour and the Upper and Lower houses of Assembly and the authority of the same that Mess<sup>rs</sup> John Broome, Will<sup>m</sup> Young, and John Dorrumple or any two of them shall and are by Vertue of this Act Authorized and impowered within six months from the End of this Present Sessions of Assembly to proceed to the Execution of the aforementioned Act of Assembly and to dispose of all such Estate both real and personall which the said Thomas Manning was possest of the time of passing the aforementioned Act of Assembly in the same Manner and with the like Power and Authorities that were given to the aforementioned Richard Johns and George Harris, any Law Statute useage or Custom to the Contrary thereof in any wise notwithstanding

Acts of An Act for the Relief of Mareen Duvall a Languishing Prisoner  
 Oct. 1720, in Prince Georges County.  
 ch. 27  
 p. 507

Whereas Mareen Duvall a Languishing Prisoner in Prince George County has by his humble petition to the Generall Assembly of this Province sett forth that he Remains a prisoner in the Goal of Prince Georges County under an Execution at the suite of Mess<sup>rs</sup> Micajah Perry and Comp<sup>a</sup> of London Merchants for a Debt of five hundred and some odd Pounds Sterling for which Sum<sup>e</sup> the said Messieurs Perry and Comp<sup>a</sup> Obtained a Judgment in Ann arundell County against him the said Mareen in or about the year of our Lord Seventeen hundred and three, and that Charles Carroll Esq<sup>r</sup> (now Deceased) being Their Attorney in Fact for said Messieurs Perry and Company took what he the said Mareen was able to pay Yearly towards the Discharge of that Debt untill the Year Seventeen hundred and Eighteen when the same Judgment was Renewed by way of Scire facias against the said Mareen In the Provinciaall Court, that Even then the said Mareen made things as Easey as he Could with the said Charles Carroll who forbore any further Prosecution against the said Mareen as Long as the said Charles Lived but that since his Death there hath been an Execution Served on the said Mareen for the Orrignall Sum, which he is not in a Capacity

to Discharge But the said Mareen Duvall by his said petition further Setting forth that he is very willing to part with all that he hath in the world towards the payment of the aforementioned Debt if the said Messieurs Perry and Company would Accept thereof and Grant him his Libertie. And for that it seems to this Present Generall Assembly that the said Mareen Duvall has not fallen under such Circumstances by any Idleness haveing been always a pains Taking Industrious planter, but mearly by Losses and Mismanagement of his affairs and therefore for that the said Mareen and his Family are thought fitt objects of Charity and that his Lying in Goal Can be no benefitt to the said Messeirs Perry and Company though it may Prove a Ruin to him self and Burthen to the County it is prayed that He may be Relieved according to his Petition and that It may be Enacted And Be it Enacted by the right Honourable the Lord Proprietary by and with the advice and Consent of his Lordships Governour and the upper and lower houses of Assembly and by the Authority of the same that in Case the said Mareen Duvall shall deliver up or cause to be Delivered up (in the Presence of two Justices of the peace in Prince Georges County whom the said Sherr. is hereby required to Summons on the request of the said Mareen Duvall at the said Mareen his now Dwelling Plantation at Some Convenient time within three months after the End of this present Session of Assembly) upon Oath all his real and Personall Estate either in Possession Reversion Remainder or in trust or in or unto which he hath any Claim or Interest whatsoever and do within the time aforesaid Convey Assign Transfer and make Over unto any Purchaser or Purchasers whatsoever all such his Estate Interest or Claim aforesaid after such manner as by the said Purchaser or Purchasers shall be thought fitt or by his or their Councill Learned in the Law shall be reasonably devised or required at the Cost and Charges of such Purchaser or Purchasers as aforesaid so as the said Mareen Duvall be not burrthened with any warranty's thereby Other than from himself and those that Claim by from or under him and that the Purchase money ariseing on the Sale of the said real and Personall Estate shall be paid to and lodged in the hands of Thomas Bordley of the City of Annapolis Esq<sup>r</sup> for the use of the said Micajah Perry and Company and that the said Mareen Duvall at the time of such his Surrender and transferring of his Estate as aforesaid shall take his Solemn Oath before the said Justices so to be Summoned as aforesaid to the Effect following Viz. I Mareen Duvall do solemnly Swear that the Goods Lands Debts and Effects which I have delivered up and mencōned in a Certain Schedull Signed by me and remaining in the hands of the Sherr. of Prince Georges County, is the whole Estate both Real and Personall of my own in Possession or that I have any Title to in the world and that I have not any Estate goods or Effects of any kind whatsoever left either in

Liber LL, 4  
Acts

p. 509

Liber LL. 4 Possession Reversion Remainder (the necessary wareing Apparell  
 Acts for my Self wife and Children Excepted) and that I have not directly  
 or Indirectly sold leased or otherwise Conveyed disposed of or In-  
 trusted all or any part of my Estate thereby to secure the same to  
 receive or Expect Profit or advantage thereof So help me God It  
 shall and may be lawfull for the sherr. of Prince Georges County and  
 the said Sherr. is hereby required (upon his said Mareens Comply-  
 ing with what is Required of him by this Act) to Discharge the  
 said Mareen Duvall out of his Custody and to Suffer him to go at  
 Large. And Be it Further Enacted by the Authority aforesaid by  
 and with the advice and Consent aforesaid that upon the said Mareen  
 his Compliance as aforesaid he the said Mareen his heirs Executors  
 and Administrators shall be by Vertue of this Act Acquitted Exoner-  
 ated and Discharged of and from all manner of Debts Duties Claims  
 and Demands whatsoever that have been contracted by him or have  
 arose Due or become demandable from him at any time before the  
 Sitting of this present Session of Assembly and that in Case the said  
 Mareen after such his Compliance and Discharge as aforesaid shall  
 again be Arrested or sued for any such Debts or Dutys as aforesaid  
 or that the said Sherriff shall be sued for any matter or Thing  
 required of him to be done by this Act that then the said Mareen or  
 the said sherr may Enter a Common appearance without Speciall  
 Bayle to any such Action as shall be brought against them or any of  
 them and plead thereto the Generall Issue and give this Act or the  
 Exemplificacōn thereof with the speciall Matter thereon ariseing in  
 Evidence and that in Case the Plf<sup>t</sup> shall be nonsuit in such Action  
 the Defendant shall recover against him double Costs of Suit any  
 Law Statute useage or Custom to the Contrary notwithstanding.

And be it further Enacted by the Authority advice and Consent  
 afores<sup>d</sup> that the sherr. of the same County shall after such Surrender  
 and Oath taken as aforesaid give Publick notice at the Churches  
 Court house and Mills in the said County of some precise time by the  
 said Sherr. and the said two Justices to be appointed for the Sale of  
 the said Mareens Effects and Estate as aforesaid, not less than  
 twenty Days after the makeing the said Surrender, and the said  
 Mareen Duvall shall at the time to be prefixed as aforesaid then and  
 there make over unto such Purchaser or Purchasers as will give  
 most for all or any part of the said Mareen's Effects or Estate as  
 aforesaid by such proper Instrument in writeing as such Purchaser  
 or Purchasers shall think fitt in the manner aforementioned all such  
 Estate Interest or Claim which he hath or had of in or to such  
 Bargained premisses before the makeing of this Act and that the  
 purchase Money ariseing Due from such purchaser or purchasers  
 shall be Lodged in the manner and applyed to the use aforemen-  
 tioned, and that the proceeding of such Justices and Sheriff in that



behalf be Certified to the same Prince Georges County Court and there Lodged for the Perusal of the said Micajah Perry and Company their factors agents or assignes that shall Require the Same without any fee for the same or for the Lodging thereof Saving the Right of the Lord Proprietarie his heirs and successors and of all Bodies Politick or Corporate Provided Nevertheless that in Case the said Mareen Duvall shall at any Time after the makeing such his Oath as aforesaid be Convict of Willfull or Corrupt perjury or of a Willfull Breach or noncumpliance with the Tennor of such Oath that then the said Mareen upon Conviction shall be adjudged to stand two hours in the pillory and have his Left ear Cut off and shall be wholly Deprived of any the Benifitts Designed him by this Law and shall from thenceforth be Lyable to be prosecuted for any Debt or Demand whatsoever in the same Mannor as If this Act had never been made, any thing herein Contained to the Contrary notwithstanding. Provided Nevertheless that nothing in this Act contained shall Extend or be Construed to Extend to Deprive the Reverend Jacob Henderson from Enjoying the Benefitts and Advantages to him of Right belonging on account of a Bond Passed from the said Marreen Duvall to the said Henderson for the makeing Over and Conveying of the Moyety of a Certain Tract of Land called Howartons Range in fee Simple for the Considerations therein mentioned but that the said Duvall shall be Impower'd by this Act and he is hereby Impower'd to Convey the said Land in fee Simple to the said Henderson in as full and ample manner as he Could or Ought to have done had this Act never been made or had the said Mareen Duvall been at Large at the Time of Executing the said Bond and the purchase mony to be applyed to the use of Micajah Perry and Company Merchants in London to be Vested as aforesaid.

Liber LL, 4  
Acts  
p. 510

An Act Impowering Mess<sup>rs</sup> William Clayton of Talbot County and James Earle and William Turbutt of Queen Ann's County to sell of the Lands of Robert Smyth Esq<sup>r</sup> late of Talbot County aforesaid decēd to pay to Richard Cole of Queen Ann's County & Mary his wife the Daughter and heir of Renatus Smyth deceased the Surviving Executor of the said Robert Smyth deced what the said Renatus Smyth paid on Account of the said Robert Smyth more then Effects Came to his hands And for the paym<sup>t</sup> of his Other Debts.

Acts of  
Oct. 1720,  
ch. 28  
p. 511

Whereas the said Renatus Smith in the Year of our Lord God Seventeen hundred and Sixteen petitioned the then assembly setting forth That Whereas the said Robert Smith Esq<sup>r</sup> on or about the Last of Jan<sup>y</sup> Anno Domini Seventeen hundred and Six made his Last will and Testament in Writing and amongst other things therein Contained Appointed his Debts to be paid and for payment thereof

Liber LL, 4 Acts Left one thousand acres of Land to be sold and appointed the said Renatus Smith and Anthony Ivy Executors thereof (as appears by the Records of the said Will Remaīn in the Com<sup>ty</sup> Generalls Office of this Province and shortly after dyed which said Executors took upon them the burthen of the administration of the decēds Estate and the Execution of the said Will and in pursuance thereof Caused the Estate of the s<sup>d</sup> Decēd to be Valued and Appraised according to Law The Totall whereof as p the Invent<sup>ys</sup> remaining likewise in the affores<sup>d</sup> Office Amounting to One Thousand and Sixty seven pounds three shillings and three half pence which with the Value of the Land Af<sup>d</sup> left by the decēd to be sold as it was Suggested to the said Assembly he thought might had been Sufficient to discharge his Debts But it was then Represented by Renatus Smyth the Surviving Ex<sup>r</sup> (the Other Ex<sup>r</sup> being dead that the whole personal Estate of the decēd together with the purchase Mony of the aforesaid Lands was not near Sufficient to Satisfie the Creditors of the Testator and that the said Renatus in Endeavouring to Comply with the Testators will as to the paym<sup>t</sup> of his Debts, had greatly Impoverished his Own Estate And likewise had past his Own Obligations to severall persons to Satisfie and pay them their Respective Claimes against the decēd being due from him as appeared by Bills Bonds and Other Instrum<sup>ts</sup> for the paym<sup>t</sup> whereof he Obliged as well his heirs Executors and adm<sup>rs</sup> as himself, And for that the said Robert Smyth Esq<sup>r</sup> decēd dyed possessed of great quantities of Land in this Province which Can in no wise be Serviceable to his heir at Law they not being any wise Improved or Tenantable but lye wholly uncultivated and no benefitt arriseing there from to discharge the yearly rent to his Lordship the Lord Proprietary to this province So that before the heir that is very young arrives to full Age to possess them the Yearly rent af<sup>d</sup> would Surmount the Reall Value of the Lands. Also for that Severall Devisees in the will af<sup>d</sup> mentioned of Large Tracts of land live so remote Viz. in Great Britain that they cannot be taken to Satisfie such of the Testators debts as the Law would Oblige them to were they within this province. And Therefore praying that the said Renatus Smith might be admitted and empowered to Sell any of the Lands whereof the said Testator dyed possessed whether devised or not as well to Satisfie and pay his af<sup>d</sup> Obligations so as af<sup>d</sup> Entered into he not being able to Comply therewith out of his Own proper Estate, Being reduced by his Application of the greatest part thereof Towards Satisfaction of the Testators Creditors as to reimburse him what he had so paid Over and above the Amount of the decēds Estate with the purchase of the Land aforesaid being about Eleven hundred and nine pounds Nineteen Shillings & Six pence as appears by an Acco<sup>t</sup> thereof made up and passed before the Commissary Generall of this Province and Remaining in his Office.

Whereupon an Act past in favour of the said Renatus Smyth Empowering and authorizing him to sell and dispose of so much of the Land whereof the said Robert Smith dyed possessed whether devised by his will or not as would pay and discharge the Debts Remaining due from the Testators Estate and Satisfied the said Renatus Smyth what he had paid on account of the decēd more than Effects Came to his hands To which use the said Renatus Smyth was Obligated to Apply the purchase mony of the Lands he should sell and to no Other use whatsoever and make or Cause to be made to any purchasers of such lands & their heirs a good sure Indefeazable Estate of Inheritance in fee Simple any Law Statute or Custome to the Contrary Notwithstanding But for that the said Renatus Smith in his life time did Only dispose of a small Inconsiderable part of the said Robert Smiths Estate to the Value of Seventy four thousand pounds of Tobacco and five pounds Currant mony which Tobacco being Valued at Ten Shillings p hundred There is a Ballance of p. 513 Seven hundred and thirty four pounds nineteen Shillings and Six pence with Interest thereon due Out of the said Eleven hundred and nine pounds nineteen shillings and Six pence to the said Richard Cole and Mary his wife the daughter and heir of the said Renatus Smith And for that the s<sup>d</sup> Rich<sup>d</sup> Cole and his wife Mary are Since become bound to Severall people on Account of the said Robert Smith his debts and likewise lyable to be sued for the Bonds and Bills the said Renatus Smith in his life time past for payment of his Brothers Creditors, Over and above the Ammount of the said Robert Smith his personall Estate which since they have paid and undertaken to pay And whereas by the former Act the said Renatus Smith was Only empowered to sell and dispose of so much of the Lands whereof the said Robert Smith dyed Possessed whether devised by his will or Otherwise Without Empowering him his heirs &c Whereof the said Richard Cole and his Wife are advised they Can recover Nothing by Virtue of that Act The said Richard Cole and Mary his wife pray that Commissioners may be nominated and appointed to sell any of the Lands whereof the said Robert Smith dyed possessed whether devised or not as well to Satisfie and pay unto them the sūme of seven hundred and thirty four pounds nineteen shillings and Six pence the Ballance due to them Out of the Eleven hundred and nine pounds nineteen Shillings and six pence aforesaid to discharge the Bonds and Bills the said Renatus Smith past in his life time and the Judgments against him Recovered for the said Robert Smyth his Debts which being thought reasonable by this present Generall Assembly its humbly pray'd that it may be Enacted And Be it Enacted by his Lordship the Lord Prop<sup>r</sup> by and with the advise and Consent of his Lordships Governour and Upper and Lower houses of this present Assembly and the Authority of the same That William Clayton of Talbot County and James Earle and

Liber LL, 4 William Turbutt of Queen Anns County Gent or Any Two of them by  
 Acts Virtue of this present Act shall [be] and are hereby fully and Amply  
 Authorized and Empowered to sell and dispose of so much of the  
 Lands whereof the said Robert Smith dyed possessed Excepting such  
 lands as have been already sold by such persons who had right to  
 sell the same since the decease of the said Robert Smith whether De-  
 vised by his will or not as will pay and discharge the sume of Seven  
 p. 514 hundred and Thirty four pounds nineteen shillings and Six pence  
 the Ballance due to the said Richard Cole and Mary his wife of the  
 Afores<sup>d</sup> Eleven hundred and nine pounds nineteen shillings and Six  
 pence af<sup>d</sup> what the said Renatus Smith paid on Account of the said  
 Robert Smith more than Effects Came to his hands And as will pay  
 and discharge the Other debts remaining due from the said Robert  
 Smyth's Estate To which use the said Commissioners are to apply  
 the purchase mony of the Lands they shall so sell and to no Other  
 use whatsoever and make or Cause to be made to any purchaser or  
 purchasers of such Lands and their heirs forever a good Sure and  
 Indefeazable Estate of Inheritance in fee Simple any Law Statute  
 usage or Custome to the Contrary notwithstanding. And be it  
 further Enacted That the Commiss<sup>rs</sup> af<sup>d</sup> for their Charge and Trouble  
 in and about the Sales of the said Lands shall be allowed five pounds  
 by the hundred on the mony or Tobacco That shall arrise on Such  
 Sales to be by them deducted out of the said Mony or Tobacco so  
 arrising as aforesaid

Acts of An Act for the Naturalization of Joseph Lazear and Gustavus Hes-  
 Aug. 1721, selius of Prince George's County and their Children, and Allso  
 ch. 5  
 p. 520 Christian Geist of the City of Annapolis Gent.

Be it Enacted by the Right Honourable the Lord Proprietary by  
 and with the Advice and consent of his Lordships Governour and the  
 upper and lower houses of Assembly and the Authority of the same,  
 that Joseph Lazear of Prince George's County planter born under the  
 Dominions of the Emperor of Germany and his Children Joseph,  
 Thomas, John, Elizabeth, Mary and Deborah, Lazear born in this  
 Province Gustavus Hesselius of Prince George's County aforesaid  
 Limner, born under the Dominions of the King of Sweden and his  
 Daughter Mary Hesselius born in this Province, and all and every  
 of them, and the said Children born within this Province, and allso  
 Christian Geist of the City of Annapolis in Ann arundell County  
 Gentleman, born under the Dominions of the said King of Sweden  
 be and in all things [are] adjudged taken reputed had held and Gov-  
 erned as his Majestys Naturall born Subjects of this Province and  
 that they and every of them by the authority aforesaid be Enabled  
 and adjudged to all intents and purposes to demand and Challenge  
 have hold and enjoy any Lands Tenements rents and hereditaments  
 to which they or any of them might in any wise be intituled to within



this Province as if they and every of them had been his Majestys free and Naturall born Subjects and liege People thereof they the said Joseph Lazear Gustavus Hessilius, and Christian Geist, having taken the usual Oaths to the Government appointed by Law And Also that they and every of them be Enabled to maintain prosecute avow Justifie and defend all and all manner of Actions suits Plaints Pleas and other demands whatsoever within this Province as liberally frankly freely fully Lawfully and Securely as if they and Every of them had been his Majestys Naturall born Subjects and Liege people thereof any Law Statute usage or Custom to the Contrary in any wise notwithstanding.

Liber LL, 4  
Acts  
p. 521

An Act to confirm the Lands devised by Rob<sup>t</sup> Anderson of Prince Georges County deceased unto his three sons Robert Anderson Cuthbert Anderson and James Anderson in fee Simple to them and their Heirs and assigns for ever.

Acts of  
Aug. 1721,  
ch. 6

Forasmuch as it hath been represented to this Generall Assembly by James Gladstone and Mahitable Peirpoint that they the said James and Mahitable have purchased part of a tract of Land lying in Prince Georges County called Cattailles Meadow of and from a certain Robert Anderson of the aforesaid County deceased who by his Last Will and Testament devised part of the Land aforesaid in the aforesaid County to his three sons aforesaid as by the Will aforesaid appears but it appearing that by the Omission of the person who writ the said Will that the said Land was only given as an Estate for Life contrary to the true intent and Meaning of the Devisor aforesaid. It is therefore humbly prayed that it may be Enacted

And be it Enacted by the Right Honourable the Lord Prop<sup>ry</sup> by and with the Advice and Consent of his Lordships Governour and the upper and Lower Houses of Assembly and by the Authority of the same that the said Land called Cattaille Meadow devised as aforesaid by the said Robert Anderson to his three Sons aforesaid be and remain to them the said James Gladstone and Mahitable Peirpoint according to their severall and respective Purchases from the said Robert Anderson Cuthbert Anderson and James Anderson as fully and amply to all intents Constructions and purposes as if the same had been expressly devised to them the said Robert Cuthbert and James to them and their Heirs forever by the last Will and Testament of the said Robert Anderson the testator any Omission of words in the devisee aforesaid or any Law Statute or useage to the Contrary in any wise notwithstanding. Saving to his Sacred Majesty his Heirs and Successors and to the right Honourable the Lord Proprietary and his Heirs and successors and all Bodies Politick and Corporate and all others not mentioned in this Act their Severall and Respective Rights.

p. 522

Liber LL, 4 An Act Impowering the Justices of Prince Georges County to Levy  
 Acts twelve pounds of Tobacco p poll on all Taxables within the said  
 Acts of County for the finishing their Court House and building a Pub-  
 Aug. 1721, lick Prison for the use of the said County.  
 ch. 7

Whereas it is represented to this Present Generall Assembly by the  
 Inhabitants of Prince Georges County that the present Court House  
 in the said County at the Town of Marlborough has been built (and  
 so far carried on as it is) by Subscriptions of the said Inhabitants  
 saving once a Levy of five pounds of Tobacco p poll and for that  
 the said Court House is not so well finished and Compleated as it  
 ought to be for the Security of the Records of the County there  
 being most of all the inside work thereof Yet undone. And Whereas  
 p. 523 this Generall Assembly conceives it highly necessary that the said  
 Court House be finished and Compleated as well for the Preserva-  
 tion of the Records as for the Conveniency of the Officers and suiters  
 to the said Court and that a Publick Prison or Goal be allso built at  
 the said Court House.

Be it therefore Enacted by the Right Honourable the Lord Pro-  
 prietary by and With the advice and Consent of his Lordships Gov-  
 ernour and the upper and lower Houses of Assembly and by the  
 Authority of the same, That the Justices of Prince George's County  
 Court or the Major Part of them shall have full Power and authority  
 and by this Act are required to Levy and Assess twelve pounds of  
 Tobacco per poll on every taxable person within the County aforesaid  
 for one Year next coming to be applied by the Justices aforesaid or  
 Major part of them towards finishing and Compleating the said  
 Court House and building a Publick prison or Goal near the same  
 with all Convenient Speed for the use of the said County :

Acts of An Act for preventing the Making of trashy Tobacco and for the  
 Aug. 1721, bettering the Staple of this Province.  
 ch. 8

Whereas this Generall Assembly hath taken into their Mature  
 Deliberation the Extreame low state to which the Staple of this  
 Province is reduced occasion'd as 'tis found by Experience by the  
 planting Tobacco's so late in the Year which hath occasion'd such  
 Vast Quantities of trashy Ground leaf immature and other bad  
 Tobaccos to be made and shipt off to the great Prejudice of the  
 Markett, and disreputation of our Staple in Generall as well as a  
 Very great abuse of the Royall favour heretofore granted us by the  
 Crown of Great Brittain and further since the Parliament of Great  
 p. 524 Brittain hath out of their great Wisdom and Goodness thought con-  
 venient to encourage the sowing of Hemp and flax in the Plantations  
 as an inducement to the people to improve that as a Staple and being  
 fully perswaded of the fitness of our Lands for such purpose, as well  
 as the great proffitt, & advantage likely thereby to accrue to Great  
 Brittain and this Province, for prevention of the aforementioned

Evills as well as in order to encourage the Sowing and propagating the Hemp and flax trade it is prayed it may be Enacted. Lib. LL, 4  
Acts

And Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governour and the upper and lower Houses of this present Generall Assembly and the Authority of the same that no Tobacco after the tenth Day of October next shall be pack't up in Cask or otherwise in order to be shipt off and Exported out of this Province by any person or persons whatsoever or paid or tendred to be paid either in Cask or otherwise to Merchants Traders or Adventurers or others or shall be stemmed in order to be Shipped or otherwise disposed of by or to any person or persons whatsoever other than what is in good Condition and of a Clear and clean leaf free from ground Leaves frost bitten Leaves trashy leaves suckers or otherwise damnify'd leaves whatsoever which shall exceed the Quantity of five pounds of Tobacco in any one Hogshead, Chest, case, tub, or other Package whatsoever under the Penalty of the sum of one thousand pounds of Tobacco for every Hogshead of Tobacco, Tub or other Package not qualified as aforesaid.

And be it further Enacted by the Authority Advice and consent aforesaid that no Master Mistress dame or Overseer or other person whatsoever after the last Day of June in any Year shall wittingly or willingly suffer or cause to be suffered any Tobacco to be planted upon any Lands or Plantations within this Province under their care or in their possession under the Penalty of two thousand pounds of Tobacco for each and every respective Taxable that at the time of such planting as aforesaid shall properly belong to and Actually reside in or upon the plantation where such Tobacco shall be so planted. And for the encouragement of making Hemp and flax in this Province according to the scheme transmitted hither by his Lordship the Lord Proprietary in pursuance of his Majesties Royall Instructions.

Be it Enacted By the Authority Advice and consent af<sup>d</sup> that any person or persons residing and inhabiting in this Province being indebted in Tobacco to any Merchant or other person trading and commercing in or to this Province may at his Choice and Election after the tenth Day of October next pay and discharge such his Tobacco Debt or Debts in good sound Merchantable matter rotted Swingled and well drest Flax or Hemp to be paid and delivered to such Creditor his factor or Agent in some one convenient place in the County where such Debtor dwells at the Rates following (that is to Say) the hemp aforesaid at the rate of six pounds of Tobacco ʒ pound and the Flax aforesaid at the Rate of nine pounds of Tobacco per pound.

Provided that this Law nor any clause therein contained shall any wise affect the Publick or County Levey and the forty per pole due to the Clergy of this Province but that the leveys Publick and County

Liber LL, 4 Taxes remain payable as if this Law had never been made. And be  
 Acts it further Enacted by the Authority Advice and consent aforesaid  
 that any person or persons whatsoever that shall have any Seconds  
 suckers or Slips turned out on his or their Plantation or Plantations  
 as aforesaid or shall house the same or shall strew or Sow any  
 Tobacco Ground or Tobacco Hills with Tobacco seed otherwise  
 than according to the usuall Ways and methods of Sowing Tobacco  
 beds and transplanting the plants therefrom, and of the same shall  
 be lawfully convicted by the testimony of one Evidence Confession  
 of the party Charg'd or Verdict of twelve men shall forfeit and pay  
 p. 525 for every Hundred seconds Suckers or Slips so turned out or housed  
 as aforesaid and for every Hundred Tobacco Hills or that Quantity  
 of ground so sowed or strewed as aforesaid and Tobacco raised  
 thereon without transplanting the same according to the usual  
 Method and intent above mention'd the Sum of one thousand pounds  
 of Tobacco.

And be it further likewise Enacted by the Authority Advice and  
 consent af<sup>d</sup> that no person or persons whatsoever shall after the tenth  
 Day of October next collect or Receive any Sum or Quantity of  
 Tobacco or Tobaccos packt as aforesaid within this Province with  
 intent to ship off sell or otherwise dispose off such Tobacco's without  
 first having taken the following Oath or test before a Justice of the  
 Provincially or County Court (Viz:) I: A: B do swear that I will  
 not Knowingly wittingly or willingly receive any Tobacco or To-  
 bacco's durement the continuance of the Act of Assembly for pre-  
 venting the making trashey Tobacco's and for bettering the Staple  
 of this Province either for my own use or by the order or for the use  
 of any person or persons whatsoever which shall not be qualified  
 agreeable to the Directions of the aforesaid Act according to the best  
 of my skill and knowledge So help me God. Under the Penalty of  
 one thousand pounds of Tobacco for each and every Hogshead Case  
 Chest Bale Box Tub or other Package whatsoever by any person or  
 persons whatsoever before taking the aforesaid Oath or Test. And  
 be it further Enacted by the Authority Advice and consent aforesaid  
 that if any Master Mistress Dame Overseer or other person what-  
 soever after the tenth day of October next ship off upon his her or  
 their proper Account and Risk or on the proper account and Risk of  
 any other person or persons whatsoever any Quantity or Sum of  
 Tobacco whatsoever without having first taken before a Justice of  
 the Peace the following Oath or Test (Viz.) I. A. B. do swear  
 that I will not wittingly or Willingly during the continuance of the  
 Act for preventing the making trashey Tobacco and for the bettering  
 the Staple of this Province, pack, prize, or put into any Hogshead,  
 Case, Chest, Tub, box or other Package nor order or Direct any  
 person or persons under my Command or Authority by Connivance  
 or otherwise to pack prize or put into any Hogshead Case, Chest,



Tub, Box or other package more than five pounds of Tobacco (in regard to some accidentall bad leaves that may pass undiscovered in the handling) otherwise Qualifyed than according to the directions of the aforesaid Act So help me God on Penalty of the sum of one thousand pounds of Tobacco for every Hogshead, Case, Chest, Tub, Box or other Package of Tobacco he she or they shall pack prize and ship off And be it likewise further Enacted by and with the Authority Advice and consent aforesaid that from and after the tenth day of October next all Masters Misstresses, Dames Overseers and other persons whatsoever Owners of any Tobacco made or to be made within this Province that shall in any Year before the tenth Day of October Yearly Ship off sell or otherwise Dispose, of any Quantity of Tobacco be it more or less other than what he she or they shall have Actually Stript and packt up or prized and prepared ready for Shipping or Sale by the Last Day of May Yearly shall forfeit for every Hogshead of Tobacco they shall so ship sell or dispose off and not prepared as aforesaid the sum of One thousand pounds of Tobacco. And be it further Enacted by the Authority Advice and consent aforesaid that it shall not be lawfull to or for any person or persons whatsoever after the tenth Day of October next to buy or sell any trash ground leaf Suckers or any other bad Tobacco on pain and penalties hereafter mention'd (that is to say) the buyer to forfeit and pay if not a Servant the Sum of one shilling per pound for every pound of Tobacco so Disposed of, with Equall Penalty on the Seller and if a Servant or Slave unable to pay such fine as aforesaid that then such Servant or Slave to be punished by whipping on the bare back not exceeding thirty nine Lashes to be inflicted by the Order of any Justice of the Peace before whom any person or persons shall be so convicted which Justice is duly empowered by this Law on full hearing of the Matter by Information to determine the Same. Provided notwithstanding that any person may buy sell and receive any parcell of Tobacco not exceeding one hundred pounds of Tobacco at any one time so it be qualified as this Act directs without Obliging the Receiver thereof to take the Oath of Receivers appointed by this Act.

Liber LL, 4  
Acts

p. 526

All which foregoing Tobacco fines are to be recovered in his Lordship's name in any County Court within this Province by Action of Debt Bill Plaint or Information wherein no Essoyn Protection or Wager of Law to be allowed, the one half whereof to the informer or to him or them that shall sue for & recover the Same and the other half to the use of schools according to the Directions of the Act intituled a Supplementary Act to the Act intituled an Act for laying an Imposition on Negroes and Severall sorts of Liquors Imported and also on Irish Servants to prevent the importing too Great a number of Irish Papists into this Province. Provided that the affirmation of the People called Quakers allowed by Law be received

Liber LL, 4 to the effect of the Oaths aforesaid and instead thereof. Provided  
 Acts allso that this Act nor any thing therein contained relating to the  
 making Flax & Hemp shall any way affect or be construed to affect  
 any the Inhabitants of Great Brittain untill the End of twelve  
 months next after the End of this Sessions of Assembly but that the  
 Inhabitants or Officers of this Province shall be obliged to take the  
 same as if no such Limitation had been made. This Act is to continue  
 for three Years and untill the End of the next Sessions of Assembly  
 that shall first happen after the Expiration of the said Three Years.

Acts of An Act for the Releif of John Connaway of Ann arundell County  
 Aug. 1721, a Languishing Prisoner.  
 ch. 10  
 p. 528

p. 529 Whereas John Connaway of the City of Annapolis in Annarundell  
 County Saddler has by his humble Petition to this Present Generall  
 Assembly set forth that being heretofore indebted unto Thomas  
 Macnemara of the aforesaid City Esquire now deceased in a Certain  
 sum of money but not being able to pay the same was afterwards and  
 since the Decease of the said Thomas sued and imprison'd by Mar-  
 garet Macnemara the Administratrix of the said Thomas in Ann  
 arundell County Goal for the said Debt where he has been confined  
 a Considerable time and there still continues a poor languishing  
 Prisoner destitute of all Manner of help having not one penny in  
 the World Friends nor Interest to pay or Satisfie his Debt to his  
 said Creditor being a Weak lame and Decrepid Body incapable of  
 Labour and therefore for that the said John and his Wife are thought  
 fitt Objects of Charity and that his lying in Goal can be no benefitt  
 to his Creditor tho it may prove a ruin to him and a burthen to the  
 County It is humbly prayed that the said John may be releived accord-  
 ing to his prayer and that it may be Enacted And be it Enacted by  
 the Right Honble the Lord Proprietary by and with the Advice and  
 Consent of his Lordships Governour and the upper and Lower  
 Houses of Assembly of this Province and the Authority of the  
 same that unless the Creditor or Creditors of the said John Conna-  
 way his her or their Attorney or Attorneys within this Province,  
 Within ten Days after the end of this Sessions of Assembly go to  
 the Sherriff of Annarundell County and give good Security to pay  
 the imprisonment fees at ten pounds of Tobacco per Day that shall  
 or may become due from the said John Connaway after the End of  
 the said Ten days and allso to find the said John Connaway Sufficient  
 meat Drink and Cloathing during his future imprisonment in Case  
 the said John Connaway shall deliver up and Surrender or Cause to  
 be delivered up or Surendred to the Sherriff of Ann Arundell  
 County in the presence of two Justices of the peace in the said  
 County whom the said Sherriff is hereby required to summons on the  
 Request of the said John at the City of Annapolis at some convenient  
 time not more than ten Days after the End of this Sessions of Assem-

bly all his real and personall Estate either in Possession Reversion remainder or in trust or in or unto which he hath any Claim or interest whatsoever and do likewise betwixt the days aforementioned'd Convey assign transfer and make over unto the said Sherrieff of Ann Arundell County for the use of his the said Johns Creditors all such his Estate Interest or claim as af<sup>d</sup> after such Mañer as by the said Sherrieff and the Major part of the Creditors of the said John Connaway or such of them as shall think fit to direct therein or his or their Councill Learned in the Law shall reasonably devise or require at the Costs and Charges of such persons as shall Claim the benefitts thereof so as the said John Connaway be not burthened with any warrantees thereby other than from himself and those that claim by from or under him and that the said John at the time of such his surrender and transferring his Estate as af<sup>d</sup> shall take his Solemn Oath or Test before the said two Justices so to be Sumōned as aforesaid to the Effect following Videlicet. " I John Connaway do solemnly Swear that the Goods Debts & Effects which I have delivered assigned & made over to the Sherrieff of Ann arundell County and in trust for the use of my Creditors is the whole Estate both Real and personal of my own in possession or have any Title to in the World and that I have not any Estate Goods or Effects of any kind whatsoever left Either in possession Reversion or Remainder the Necessary wearing apparell for my self and Wife excepted and that I have not directly or indirectly sold leased or otherwise conveyed disposed of or intrusted all or any part of my Estate thereby to secure the same to receive or expect any profit or advantage thereof So help me God, It shall and may be lawfull for the sherrieff of Ann Arundell County after the end of the said Ten Days and the said Sherrieff is hereby required to discharge the said John Connaway out of Custody and to suffer him to go, at Large. Liber LL, 4  
Acts  
P. 530

And be it further Enacted by the Authority af<sup>d</sup> by and with the Advice and Consent af<sup>d</sup> that upon the said John Connaways complying with what is required of him by this Act that he the said John his heir Executors or Adm<sup>rs</sup> shall be by Vertue of this Act Acquitted Exonerated Released and discharged of and from all Manner of Debts Duties and Claims and demands whatsoever that have been contracted by him or have arose due or become demandable from him at any time before the sitting of this present Generall Assembly and that in case the said John shall after such his compliance and discharge as af<sup>d</sup> be again arrested or sued for any such his Debts or Duties as aforesaid or that the said Sherrieff shall be sued for any matter or thing required of him to be done by this Act that then the said John Connaway or the Sherrieff may enter a common Appearance without special Bayle to any such Action as shall be so brought ag<sup>t</sup> them or either of them and plead thereto the Generall Issue and give this Act or the Exemplification thereof with the Special Matter

**Liber LL, 4** thereon arising in Evidence and that in Case the plaintiff shall be  
**Acts** Nonsuit in such Action the Defendant shall recover against him double Costs of suit any Law Statute usage or custom to the Contrary notwithstanding. And be it further Enacted by the same Authority, Advice and Consent afores<sup>d</sup> that the sherriff of the same County of Ann arundell aforesaid shall after such Surrender and delivering up as aforesaid give publick notice at the Churches Court Houses and at the Mills in the said County of some precise time by him the said Sherriff and the said two Justices to be appointed for the distribution of the said Johns Effects and Estate not less than twenty Days after the time of the making the said Surrender and shall then and there in the presence of two such Justices as af<sup>d</sup> and by their Advice and directions make distribution of the said Johns Estate so as af<sup>d</sup> to be surrendered delivered up or transferred amongst such of the said Johns Creditor's only as shall then by themselves or their lawfull Attorney or Attorneys think fit to be present at such Distribution by an Equall and proportionable Distribution thereof to every such Creditor with respect had and in proportion to the largeness of his her or their Debt the proceedings of the said Justices and Sherriff in that behalf to be certified to the said Annarundell County Court and there lodged for the perusall of any the said Johns Creditors that shall require the same without any fee to be paid for the same or for such lodging thereof saving the Right of the Right Honourable the Lord Proprietary his Heirs and Successors Provided nevertheless that in case the said John shall be at any time after the Making such his Oath or taking such test aforesaid Convict of willfull and corrupt Perjury thereon or of a willfull breach or noncompliance w<sup>th</sup> the tenor of such Oath or test that then the said John shall upon such conviction be adjudged to stand two hours in the Pillory and have his left Ear cut of and shall be wholly deprived of any the benefitts designed him by this Law and shall be from thenceforth lyable to be prosecuted for any Debts or Demands whatsoever in the same manner as if this Act had never been made any thing therein contain'd to the Contrary notwithstanding

**Acts of** An Act Empowering a Comittee to lay assess and Apportion the  
**Aug. 1721,** publick Levey for this Present Year One thousand Seven hundred  
**ch. 13** and twenty one.

Whereas this present Generall Assembly have for the defraying the Publick Charges of this Province to the first Day of August Instant raised a Certain sum of Tobacco and money amounting to the sum of two hundred and twenty seven thousand seven hundred and seventy pounds of Tobacco and two hundred & Seventeen pounds ten shillings Curr<sup>t</sup> Money as by the Journall of the Comittee of Accounts appears but by reason more publick Charges may arise and grow due before the usual and accustomed time of payment which is the tenth



Day of November yearly at which time again to call and Convene the whole Assembly for that occasion only, Considering the Great number of them and the Remoteness of their Habitation from the place appointed would be Very Chargeable and troublesome to the whole Province in Generall for prevention whereof, Liber LL, 4  
Acts

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordship's Governour and the upper and lower Houses of Assembly and the Authority of the same that the Honourable Coll<sup>l</sup> William Holland Coll. Thomas Addison Philemon Lloyd Esq<sup>r</sup> and Thomas Bordley Esq<sup>r</sup> of his Lord<sup>ps</sup> Honourable upper House of Assembly and M<sup>r</sup> Thomas Waughop Coll<sup>l</sup> Nathan<sup>ll</sup> Hynson Cap<sup>t</sup> Dan<sup>ll</sup> Mariartee Coll<sup>l</sup> John Mackall Coll<sup>o</sup> John Fendall, The Hon<sup>ble</sup> Robert Ungle Esq<sup>r</sup> Coll<sup>l</sup> James Maxwell Cap<sup>t</sup> John Jones Coll<sup>l</sup> Roger Woolford Coll<sup>l</sup> Ephraim Aug<sup>t</sup> Herman M<sup>r</sup> Rob<sup>t</sup> Tyler and M<sup>r</sup> James Earle Sen<sup>r</sup> of the Honourable the Lower House of Assembly or the Major part of them be and appear at the City of Annapolis the Last tuesday in October next then and thereto lay and assess the said Publick Levey already raised and also to allow Levey and assess what further Charge may accrue which to them shall justly appear to be due from the Publick not exceeding one hundred and fifty thousand pounds of Tobacco one hundred pounds sterl and five hundred pounds Current Money of this Province more than what is already raised and likewise to apportion order and pay out of the Publick treasury of this Province the sum of two hundred and Seventeen pounds ten Shillings Current money of this Province to the Severall persons to whom the same shall be due as by the Journall of the Committee of Accounts appears and a fair Journall of all their proceedings to be delivered to the Clerk of the Assembly for Satisfaction of all persons therewith concerned by the tenth Day of November next and if it shall happen that his Honour the Governour shall please to convene An Assembly before the said Last tuesday in October next afores<sup>d</sup> then this present Act and every Clause therein contained shall be Void and of no force. p. 533

An Act for the Naturalization of Albert Greening and John Oeth of Ann arundell County.

Be it Enacted by the Right Honourable the Lord Proprietor by and with the Advice and Consent of his Lordship's Governour and the upper and lower Houses of Assembly and the Authority of the same, that Albert Greening and John Oeth born under the Dominions of the Emperour of Germany and their Children now Residents in Ann arundell County shall from henceforth be adjudged reputed and taken as Naturall Born Subjects within this Province they having qualified themselves according to Law and that by Vertue of this Act they may be Enabled and adjudged to all intents and purposes to demand challenge ask have and enjoy any Lands tene-

Acts of Feb.  
1721/2,  
ch. 15  
[Other Acts  
of this  
Session are  
printed in  
Vol. 34 of the  
Archives]

Liber LL, 4 ments Rents or Hereditaments whatsoever to which they or either of  
 Acts them might be any ways intituled as if they had been Naturall born  
 Subjects within this Province and be Enabled to maintain prosecute  
 avow Justifie and Defend, all and all manner of Action or Actions  
 real or personall Suits plaints pleas and other demands what-  
 soever as Liberally frankly freely fully lawfully and Effectually  
 to all intents and purposes as if they had been Naturall born Sub-  
 jects within this Province

Acts of An Act Investing an Estate of Inheritance in fee simple of twelve  
 Feb. 1721/2. hundred Acres part of a tract of Land called New Munster lying  
 ch. 16 on Elk River in Cecill County in Richard Thatcher of Cecill  
 p. 537 County to him and his heires and Assigns for ever and three  
 hundred Acres more part of the said tract of Land called New-  
 munster in Peter Massey and Sarah his Wife to them and their  
 Heirs for ever.

Whereas Daniel Toas of Kent County deceased by his last Will  
 and Testament in writing bearing date the twenty Sixth Day of  
 Aprill Anno Dom One thousand six Hundred and Ninety one, did  
 thereby give and bequeath unto his Wife Sarah and son Daniel to  
 sell convey & alienate in what manner they should think fit all the  
 Lands and tenements he then had in the territories of Pensilvania to  
 satisfie and pay all his Just Debts and after the payment thereof, did  
 give and bequeath the Rest of his Real Estate to be equally divided  
 amongst his three Children Daniel John and his Daughter Sarah to  
 them and their Heires forever and that the said Daniel Toas at the  
 time of his Death was possessed as of ffee of part of a tract of Land  
 called New Munster lying on the Head of Elk River containing four  
 thousand five hundred Acres of Right fell to be equally divided  
 between the said Daniel John and his Daughter Sarah Toas, And  
 afterwards the said Peter Massey and Sarah his Wife the Daughter  
 of the said Daniel Toas Senior did sell convey and make over to the  
 said Richard Thatcher, twelve hundred Acres part of fifteen hundred  
 Acres the said Sarah's third part of the aforesaid four thousand five  
 Hundred Acres.

And Whereas a certain Robert Roberts of Queen Ann's County  
 in the Year one thousand Seven hundred and Eleven preferr'd his  
 petition to the then Assembly setting forth that John Toas the son of  
 the said Daniel Toas was indebted to him in the Sum of two hundred  
 & thirty pounds sterling and therefore prayed that the said Lands  
 called New Munster might be Condemned to him for the payment of  
 his Debts and Engagements for him without making it appear that  
 the said John Toas had any right in the said Lands or without set-  
 ting forth or making appear that the Originall Debt was due from  
 Daniel Toas Sen<sup>r</sup> to the said Robert Roberts or any other person,  
 upon which suggestion a Bill past in favour of the said Roberts to

confirm the said four thousand five hundred Acres to him and his heirs and Assignes forever without giving notice thereof to the said Thatcher or Massey or any other person who then held the said Land called new Munster. Whereupon Mathew Wallace the Lessee of the said Roberts comenced an Action of Ejectment before the Honourable his Lordships Justices of the Provinciaall Court against the said Thatcher and thereon recovered Judgement and has since got possession of the said twelve hundred Acres whereof the said Thatcher was possessed as Tennant in common most wrongfully and unjustly.

Liber LL, 4  
Acts

p. 538

And Whereas it hath been made appear to this present Generall Assembly that the said Mathew Wallace and the Other parties concerned have had sufficient Notice to appear at this Assembly to be heard why an Act should not pass in favour of the said Richard Thatcher for twelve hundred Acres and Peter Massey for three hundred Acres being in the whole fifteen hundred Acres the right of the said Sarah as one of the Devises of the said Daniel. It is humbly prayed that it may be Enacted.

And be it Enacted by his Lordship the Lord Proprietary by and with the Advice and Consent of his Lordship's Governour and upper and Lower houses, of this Assembly and the Authority of the same that the said Richard Thatcher according to his purchase from the said Peter Massey and Sarah his Wife the Devisee of the said Daniel Toas Sen<sup>r</sup> deceased, by force and Vertue of this Act, shall hold and enjoy to him and his heires for ever a good Sure and indefeazable Estate of Inheritance in Fee simple of in and to the said twelve hundred acres of Land part of the said tract of Land called New Munster he was formerly possessed of, by Vertue of the Devise aforesaid from the said Peter Massey and Sarah his Wife, and that the said Robert Roberts and his heires and all others claiming from or under him shall be forever, utterly debarred and excluded of all Right Claim and Interest of in or to, the said twelve hundred Acres of Land and premisses, formerly possesst by the said Richard Thatcher, as fully and Effectually to all intents and purposes whatsoever as if the said Act formerly passed in favour of the said Robert Roberts had never been made or passed, Any Law Statute, Usage or Custom to the Contrary notwithstanding

And be it further Enacted that the said Peter Massey and Sarah his wife the Daughter and Devisee of the said Daniel Toas by force and Vertue of this Act shall hold and Enjoy to them and their Heires forever a good sure and Indefeazable Estate of Inheritance in Fee Simple, in and to three hundred Acres part of the said tract of Land called New Munster the remaining part of One thousand five hundred Acres, the said Sarah's third part of the aforesaid four thousand five hundred Acres And that the said Robert Roberts and his Heires and all others claiming from or under him shall be for ever utterly de-

p. 539

Liber LL, 4  
Acts barred and Excluded of all Right Claim and Interest of in or to the said three hundred Acres of Land and premisses as fully and Effectually to all Intents and purposes whatsoever as if the said Act formerly past in favour of the said Robert Roberts had never been made or past any Law Statute Use or Custom to the Contrary notwithstanding.

And be it further Enacted that the said Act of Assembly intituled an Act empowering Robert Roberts of Queen Ann's County to sell part of a tract of Land lying in Cecill County called New Munster late the Land of John Toas for the uses therein mentioned and to make Good and Valid such Sale made at a Session of Assembly begun and held at the City of Annapolis the twenty third Day of October One thousand seven hundred and Eleven, as to the said Richard Thatcher, Peter Massey and Sarah his wife, their Right in the said fifteen hundred Acres of Land, be and is hereby utterly repealed and made Void.

Acts of  
Feb. 1721/2,  
ch. 17  
(Explains  
1721, ch. 8)

An Explanatory Act of some Doubtfull Expressions and repealing some Clauses in and of an Act of Assembly intituled, An Act for preventing the making of trashy Tobacco and for the bettering the Staple of this Province and for supplying some Defects therein.

Whereas divers scruples have been made by a Considerable number of the Inhabitants of this Province concerning the Right understanding and true intent and Meaning of some Clauses of an Act of Assembly made at a Session of Assembly begun and held at the City of Annapolis in Ann arundell County the Eighteenth Day of July last intituled An Act for preventing the making trashy Tobacco and bettering the Staple of this Province It is humbly prayed that it may be Enacted,

p. 540 And be it Enacted by the Right Hon<sup>ble</sup> the Lord Proprietary by and with the Advice and Consent of his Lord<sup>ps</sup> Governour and the upper and Lower Houses of this present Generall Assembly and the Authority of the same, And it is hereby declared, that the words in the second Paragraph of the aforementioned Act (Viz) (that no Tobacco after the tenth Day of October next shall be packed in Cask or otherwise in order to be shipt off and Exported out of this Province by any person or persons whatsoever or paid or tendered to be paid either in Cask or otherwise to Merchants Traders or Adventurers or others or shall be stem'd in order to be shipped or otherwise disposed off by or to any person or persons whatsoever other than what is in good Condition and of a Clear and Clean Leaf free from Ground Leaves, frost bitten Leaves, trashy Leaves, suckers or otherwise dammified Leaves whatsoever) Were only intended to prevent, the packing up, either for paying away Shipping or otherwise disposing of any Tobacco, other than what was clean Tobacco in good Condition free from all Manner of trash and frost bitten Tobacco



and the words abovementioned in the said Act shall for the future be taken and Construed in this sence and not otherwise. Liber LL, 4  
Acts

And it is further declared that the Words in the fifth Paragraph of the aforesaid Act (Viz) (That any person or persons whatsoever that shall have seconds suckers or Slips, turned out on his her or their plantation or plantations as aforesaid or shall house the same) was never intended nor shall they for the future be Construed to hinder or debarr any person or persons within this Province from turning out a sucker or suckers and improving the same to his her or their best advantage where the true plant or plants has been destroyed by any Accident, but only for preventing the making improving and housing any more than one plant from the same Stalk or Root any thing in the aforementioned Act to the Contrary notwithstanding.

And for the more effectuell preventing and deterring all persons within this Province from making shipping or in any wise disposing of any trashy and unqualified Tobacco according to the abovesaid Explanation of the aforesaid Act.

Be it Enacted by the Authority Advice and Consent aforesaid that if any person or persons whatsoever owners of or makers of Tobacco on any Plantation or plantations within this Province shall either themselves or shall cause or Suffer any Overseer or Overseers Servant or Servants Negroes or others under their Command or Charge to Save or tie up in bundles or otherwise or Stemm any trashy or otherwise unqualified Tobacco as aforesaid and shall not destroy the same at the time the Good is stript from such bad Tobacco or that shall in their Tobacco or other Houses preserve save or conceal any trashy or other unqualified Tobacco either in Bulks Hogsheads or otherwise which they or any of them have stript and tied up, in bundles or stem'd, or otherwise before the making of this Law and shall not destroy the same before the Last Day of March next shall forfeit for every time they shall be Convicted thereof the sum of One thousand pounds of Tobacco to be recovered and applied as hereafter is provided. p. 541

And be it further Enacted by the Authority Advice and Consent aforesaid that it shall and may be lawfull for any person or persons whatsoever that shall discover any Tobacco or Tobaccos that are not truly qualified according to the true intent meaning and Explanation of the aforementioned Act that was not bona fide paid away and received before the tenth Day of October last past to Seize and Mark the same be it in Hogsheads bulks or other package.

Provided such person or persons so seizing and marking such Tobacco or Tobaccos shall within three Days after such seizure make information to be a Justice of the Provincially or County Court (where such seizure shall be made) of such seizure by him or them made the which Justice of the Provincially or County Court as often

Liber LL, 4 as information shall be made unto him is hereby fully authorized and  
 Acts strictly required within three Days to repair with such Informer to  
 the house or houses where such Tobacco or Tobaccos hath been so  
 seized as aforesaid and the said Tobaccos shall carefully View and  
 examine and Judgment give thereon, the which Tobacco if duly  
 qualified according to the true intent and meaning of this Law shall  
 by him be released from such Seizure, but if adjudged unqualified  
 as af<sup>d</sup> such Justice shall cause the same to be burnt or otherwise  
 destroyed in his presence as to him shall seem meet and the Owner of  
 such Tobacco or Tobaccos shall suffer and incurr such penalties as is  
 prescribed in the aforesaid Act against the makers packers or payers  
 away of Tobacco not duely qualified as af<sup>d</sup> and if at any time it shall  
 so happen that the Owner or Owners of any such Tobacco so seized  
 as af<sup>d</sup> shall after the Seizure thereof pay convey away give or con-  
 ceal the same so as such Justice cannot have view of the same in all  
 and every such Case or Cases the informer or Informers making  
 Oath before such Justice to the number of Hogsheads, Bulks, or other  
 Package or parcells of Tobacco so seized, the Owners of the Tobaccos  
 af<sup>d</sup> shall be thereby convicted and Suffer such penalties and for-  
 feitures as aforementioned.

Provided nevertheless that if any Justice of the Provinciaall or  
 County Courts to whom such information shall be made as af<sup>d</sup> can-  
 not within the time limitted as af<sup>d</sup> in his proper person (with such  
 informer) repair to View such Tobacco or Tobaccos so seized in all  
 and every such case or cases it shall and may be lawfull for such  
 Justice, and he is hereby required and enjoyned to issue his Warrant  
 thereby empowering and Commanding some substantiall and know-  
 ing Freeholder inhabiting in the County where such Seizure hath been  
 made to go within the time limitted with such Informer or Informers  
 to such House or Houses where such Tobacco or Tobaccos hath been  
 so seized and to View and Examine the same and to make Report  
 upon Oath to such Justice of the Quality of such Tobacco by him  
 view'd and Examined who upon such report may and shall proceed  
 p. 542 to make such Judgement thereon as if the said Tobaccoes had been  
 View'd and Examined by himself and if such Tobacco or Tobaccoes  
 shall be Condemned the Justice is hereby obliged to destroy or  
 Order the same to be destroyed in his Presence as before provided  
 and in Case of a removall of such Tobacco or Tobaccoes after  
 Seizure as af<sup>d</sup> the Justice shall proceed to give the Same Judgment  
 thereon as of Right should have been given had he view'd and Ex-  
 amined the same and adjudged it unqualified, and the said Justice is  
 Oblidg'd to see the same destroyed as abovesaid, and every Justice  
 or the party by him empowered to View Tobacco as af<sup>d</sup> that shall  
 Suspect any trashy or unqualified Tobaccoes to be lodged or con-  
 cealed in any Tobacco houses or dwelling Houses belonging to any  
 person or persons whatsoever, to prevent the same being destroy'd as

before, It shall and may be lawfull for the said Justice or the person by him appointed and the said Justice or person so appointed is hereby Authorized and required to enter into any Houses or suspected places whatsoever and diligent search and enquiry make after such unqualified Tobacco, and if any such be found to destroy as af<sup>d</sup> and the person or persons in whose Custody or Houses any such Tob<sup>o</sup> unqualified, shall be found, shall forfeit and pay the same penalties prescrib'd by this Act for persons paying or tendering to be paid or shipt any unqualified Tobacco or Tobaccos adjudged by the above recited Act. Liber LL, 4  
Acts

And be it further Enacted by the Authority Advice and Consent af<sup>d</sup> that where any person or persons by him, her, or themselves or others shall give away to any other person whatsoever any trashy or bad Tobacco such person or persons so giving away as well as the person receiving and taking the same, shall for every pound of such unqualified Tobacco given away and received as afores<sup>d</sup>, forfeit and pay twelve pence, such offence to be proved by the Oath of one Suff<sup>t</sup> Evidence before a Single Justice, either of Prov<sup>n</sup> or County Court who is hereby on Conviction as af<sup>d</sup> impowered and required to Issue forthwith his precept under his hand and Seal directed to the Sherr of the County to Levy such forfeiture either on the Body Goods or Chattells of the Offender to be applyed to the uses hereafter mentioned. And in case such Offender have not Sufficent to Satisfie such forfeiture then the Justice before whom such conviction shall have been shall and may inflict or award, him, her, or them such Corporall Punishment by Whipping, as to him seems meet not exceeding thirty nine Lashes for any one Offence.

And be it further Enacted by the Authority Advice and Consent af<sup>d</sup> that every person or persons freighting Shipping or Consigning upon his her or their proper Account or Risk, or upon the Account or Risk of any other person whatsoever to any Merchant or other in Great Britain or elsewhere, any Hogshead or Hogsheads of Tobacco from of his her or their plantation or plantations (being thereon made) Other than what is or are agreable and qualified according to the true intent and meaning of this Explanatory Law, shall upon Conviction in manner and form as af<sup>d</sup> forfeit and incurr double the fines forfeitures and penalties assesst and imposed hereby on persons packing up and tendring to pay away unqualified Tobacco to be applyed as herein after Exprest.

And be it further Enacted by the Authority Advice and Consent af<sup>d</sup> that every single Justice either of the Prov<sup>n</sup> or County Court is by this Act constituted authorized and empowered on Conviction of any Offender for any breach of the before mention'd Laws or of any branch or part thereof, to give Judgment and award Execution against such Offender for the fines penalties or forfeitures arising p. 543

Liber LL, 4 for such Offence as well by this Explanatory Act as the former One  
 Acts by Issuing his Precept under his hand and Seal to the Sherriff of  
 such County where such Conviction shall happen to levy such forfeiture on the Body Goods or Chattells of such Offender in as full and Ample Manner as any County Court by the said former Act had power and Jurisdiction given, And every Sherriff in this Province is hereby Strictly required and injoynd to Execute such Precepts with all Convenient Speed and levy the forfeitures therein mentioned to the uses hereafter set Down.

Provided allways and it is hereby Enacted that if any Justice either of the Prov<sup>l</sup> or County Court shall or do refuse or Neglect (without lawfull Excuse) on application to him made to go with any Informer to any suspected House in order to discover trashy or bad Tob<sup>o</sup> within the time limitted or shall refuse or Neglect to Empower such person as herein before directed to go with any informer to view Tobacco in any House Suspected to be trashy or bad and that if such persons so appointed and empowered by a Justice as af<sup>d</sup> shall refuse or Neglect within the af<sup>d</sup> time limitted to go and view any Tobacco suspected as af<sup>d</sup> according to the Directions before mentioned that then such Justice or person so by him appointed and impowered as af<sup>d</sup> making Default in any trust or Authority by this Act to him or either of them given shall forfeit and pay one thousand pounds of Tobacco for every such refusall or Neglect to be convicted by the Oath of one Sufficient Wittness before any other Justice of the Provinciall or County Court within ten Days from the Expiration of the three Days above limitted and such Justice before whom such Conviction shall be shall forthwith Issue his Precept under his hand and seal directed to the Sherriff of the Respective County to levy the one thousand pounds of Tobacco for every Default as af<sup>d</sup> on the Body Goods or Chattells of such offending Justice or of such offending person so appointed and empowered as af<sup>d</sup> to the uses herein aftermentioned.

And Be it further Enacted by the Authority Advice and Consent af<sup>d</sup> that all the fines forfeitures and penaltys herein before limitted and imposed for any breach or offence of this or the former Act be recovered had gotten levy'd and destrained for in manner and form as above directed and that they and every of them be applyed and appropriated to the uses following Viz. One half thereof to the person who shall make Information as af<sup>d</sup> and the other half to the use of Schools according to the directions of the Act of Assembly intituled a Supplementary Act to the Act intituled an Act for laying  
 p. 544 an imposition on Negroes and Severall Sorts of Liquors Imported and allso on Irish Servants to prevent the importing too great a number of Irish Papists into this Province And whereas the Oaths of Receivers and shippers of Tob<sup>o</sup> provided to be taken by the aforementioned Act are deemed by Sundry of the Inhabitants of this



Province as tending too much to the committing of Perjury by many of the more unwary and inconsidering Persons of this Province Liber LL, 4  
Acts

Be it further Enacted by the Authority Advice and Consent af<sup>d</sup> that the severall Clauses in the before recited Act Obliging the taking the Oaths of Receivers and Shippers of Tobacco together with the Oaths be and are hereby repealed.

An Act for the Releif of Robert Tivis, Andrew Castle and Gilbert Powlson Languishing Prisoners in Ann Arundell County, George Sexton a Languishing Prisoner in Queen Ann's County and John Robinson a Languishing Prisoner in Talbot County. Acts of  
Feb. 1721/2,  
ch. 18

Whereas Rob<sup>t</sup> Tivis Andrew Castle and Gilbert Powlson of Ann Arundell County, George Sexton of Queen Ann's County John Robinson of Talbot County Planters have by their Humble Petitions to this present Generall Assembly severally set forth that they have continued Prisoners for Debt in the Custody of the sherriffs of the several Countys aforesaid Viz. Robert Tivis, Andrew Castle and Gilbert Powlson, in the Custody of the Sherriff of Ann Arundell County, George Sexton in the Custody of the Sherriff of Queen Ann's County and John Robinson in the Custody of the Sherriff of Talbot County for some considerable time past and still continue in the like Deplorable Circumstances not being able to redeem their Bodys with all the Estate or Interest they have in the World, which they would readily Surrender upp and part with to their Severall and Respective Creditors if they would accept of the same and grant p. 545  
The said Petitioners their Liberty which seems so unlikely for them to obtain, that unless releived by a particular Act to be past in their favour which by their said Petitions they have humbly pray'd, they must inevitably continue Prisoners for Life, and thereby their Familys utterly ruined, and for that the truth of the said Petitioners Allegations is made appear to this Generall Assembly by Sufficient Testimony and allso the Occasion of their being brought to such Circumstances does not proceed from any Idleness or Extravagances of their own, And that the said petitioners and their Familys are fit Objects of Charity and that lying in Goal can be no benefitt to their Creditors It is humbly prayed that the said Petitioners may be releived according to their Prayer and that it may be Enacted, And be it Enacted by his Lordship the Lord Proprietary by and with the Advice and Consent of his Lordships Governour and the upper and Lower Houses of Assembly and the Authority of the same, that unless all or any of the Creditors of the said Robert Tivis, Andrew Castle, and Gilbert Powlson, George Sexton and John Robinson or the Creditor or Creditors of any or either of them or the Attorney or Attorneys of such Creditor or Creditors aforesaid within this Province within three Months after the End of this Sessions of

Liber LL, 4 Acts Assembly go to the Sherriff of the Severall Countys of Ann arundell Queen Ann's and Talbot and give good Security to pay the Imprisonm<sup>t</sup> fees at ten pounds of Tobacco p Day that shall or may become due from the said Robert Tivis, Andrew Castle, and Gilbert Powlson, George Sexton & John Robinson after the end of the said three Months and also to find the said Robert Tivis, Andrew Castle and Gilbert Powlson George Sexton and John Robinson sufficient Meat Drink and Cloathing during their future imprisonment. In case they the said Robert Tivis, Andrew Castlo and Gilbert Powlson George Sexton and John Robinson shall deliver up and Surrender or Cause to be delivered up and Surrendered to the Sherriffs of Ann-arundell Queen Ann's and Talbot County's aforesaid in the presence of two Justices of the Peace in each of the said Counties whom the said Sherriffs are hereby required to summon on the request of the said Robert Tivis, Andrew Castle, and Gilbert Powlson, George Sexton & John Robinson at the dwelling plantations or places of abode of the said Robert Tivis, Andrew Castle and Gilbert Powlson, George Sexton, and John Robinson, at some convenient time betwixt the tenth Day of March and the tenth Day of June next all their Reall and personall Estate either in possession Reversion remainder or in trust or in or unto which they have or any or either of them hath any claim or Interest whatsoever & do likewise betwixt the Days aforementioned convey Assign transferr and make over unto the said Sherriff of Ann arundell Queen Ann's and Talbot County for the use of their said Creditors all such their Estate Interest or Claim as aforesaid after such manner as by the said Sherriffs and the Major

p. 546 parts of the said Creditors or of such of them as shall think fit to direct therein or their Councill Learned in the Law shall reasonably devise or require at the Cost and Charges of such persons as shall claim the benefitt thereof so as the said Robert Tivis, Andrew Castlo, and Gilbert Powlson, George Sexton and John Robinson be not burthened with any Warrantys thereby other than from themselves those that claim by from or under them and that the said Robert Tivis, Andrew Castle, and Gilbert Powlson, George Sexton and John Robinson, and every one of them at the time of such their surrender and transferring their Estate as aforesaid shall take his or their Solemn Oath or Oaths or Test before the said two Justices of the Severall and respective Countys aforesaid so to be summoned as afores<sup>d</sup> to the effect following (Viz) I A B do solemnly swear that the Goods Debts and effects which I have delivered assigned and made over to the Sherriff of County and in trust for the use of my Creditors is the whole Estate both real and personall of my own in possession or have any title to in the World and that I have not any Estate Goods or Effects of any kind whatsoever left either in Possession Reversion or remainder (the Necessary wearing Ap-

parell for my self Wife and Children excepted) and that I have not directly or indirectly sold leased or otherwise conveyed Disposed of or intrusted all or any part of my Estate thereby to secure the same to Receive or expect any profit or Advantage thereof So help me God. It shall and may be lawfull for the Sherriffs of the Severall and Respective Countys of Ann arundell, Queen Ann's and Talbot af<sup>d</sup> after the end of the said three Months, and the said Sherriffs are hereby required to discharge the said Robert Tivis, Andrew Castle and Gilbert Powlson, George Sexton and John Robinson, out of Custody and to Suffer them to go at large, And be it further Enacted by the Authority Advice and Consent af<sup>d</sup> that upon the said Robert Tivis, Andrew Castle and Gilbert Powlson, George Sexton and John Robinson on their complying with what is required of them by this Act that they the said Robert Tivis, Andrew Castle and Gilbert Powlson, George Sexton and John Robinson and every of them their and every of their Heirs Ex<sup>rs</sup> or Administrators shall be by Virtue of this Act acquitted Exonerated released & discharged of and from all Manner of Debts Dutys Claims and Demands whatsoever that have been severally contracted by them or have arose due or become demandable from them at any time before the sitting of this present Generall Assembly and that in case the said Robert Tivis, Andrew Castle Gilbert Powlson George Sexton and John Robinson or either of them shall after such their Compliance and discharge as af<sup>d</sup> be arrested or sued for any such their Debts or Dutys as aforesaid or that the said Sherriffs shall be sued for any matter or thing required of them or either of them to be done by this Act That then the said Robert Tivis Andrew Castle and Gilbert Powlson, George Sexton and John Robinson or the said Sherriffs or either of them whom it may concern may enter a common appearance or appearances without Special Bail to any Such Action or Actions as shall be brought against them any or either of them and plead thereto the Generall Issue and Give this Act or the Exemplification thereof with the speciall Matter thereon arising in Evidence and that in case the Plaintiff or Plaintiffs commencing and bringing Such Action or Actions as af<sup>d</sup> shall be Nonsuit, the Defendant or Defendants shall recover against him or them double Costs of Suit any Law Statute usage or Custom to the contrary Notwithstanding.

And be it further Enacted by the Authority Advice and Consent aforesaid that the Sherriffs of the Severall and respective Countys aforesaid and every of them shall after such Surrender and Delivery up as aforesaid give Publick Notice at the Churches Court Houses and Mills within the said Countys of some precise time by them the said Sherriffs and the said two Justices to be appointed for the distribution of the effects of the said Robert Tivis, Andrew Castle and Gilbert Powlson, George Sexton and John Robinson their

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Acts

p. 547

Liber LL, 4  
Acts Effects and Estate not less than twenty Days after the time of the making the said Surrender and shall then and there in the presence of two such Justices as aforesaid and by their Advice and Directions make distributions of the Estate or Estates of the said Robert Tivis, Andrew Castle, and Gilbert Powlson George Sexton and John Robinson or of the Estate or Estates of any or either of them so as aforesaid to be surrendered delivered up or transferred amongst such of their said Creditors only as shall then by themselves of their lawfull Attorney or Attorneys think fit to be present at such Distribution by an Equall and proportionable distribution thereof to every Creditor with respect had and in Proportion to the Largeness of his or her Debt; the Proceedings of the said Justices and Sherriffs in that behalf to be certify'd to the Courts of the Severall Countys aforesaid and there Lodged for the Perusal of any of the Creditors of the Severall Debtors aforesaid that shall require the Same and without any fee to be paid thereon or for such Lodging thereof, Saving the Right of the said Lord Prop<sup>ty</sup> his Heirs and Successors and of all Bodies Politick and Corporate Provided Nevertheless that in Case the said Robert Tivis Andrew Castle and Gilbert Powlson, George Sexton and John Robinson or either of them shall at any time after the Making such  
p. 548 his or their Oath or Oaths or taking such Test aforesaid be Convict of Willfull and corrupt perjury thereupon or of a willfull breach or Noncompliance with the tenure of such Test that then the said Robert Tivis, Andrew Castlew, and Gilbert Powlson George Sexton and John Robinson or such or so many of them as shall be convict as aforesaid shall upon such Conviction be adjudged to stand two Hours in the Pillory and have his or their left Ear or Ears cut off and shall be wholly deprived of any benefitts designed them or either of them by this Law and shall be from thenceforth lyable to be prosecuted for any Debts or Demands whatsoever in the Same Manner as if this Act had never been made anything therein contained to the Contrary notwithstanding.

Acts of  
Nov. 1722,  
ch. 2  
p. 551  
[Other Acts  
of this  
Session are  
printed in  
Vol. 34 of the  
Archives]

An Act for the Relief of Francis Gandivit and John Read both of the City of Philadelphia.

Whereas the said Francis Gandevit and John Read by their Pet<sup>n</sup> to this Present Generall Assembly have set forth that a Certain Rich<sup>d</sup> Bermingham of the County of Newcastle upon Delaware was Lately seized of an Estate in fee simple in a Tract or parcell of Land scituate in Bohemia Mannor in the Province of Maryland on the South Side with in the mouth of bohemia Back Creek alias Back River opposite to S<sup>t</sup> Thomases Creek and M<sup>r</sup> Borrahas's Plantation on the said River on the North Begining at a Red Oake on the West side of a Cove w<sup>ch</sup> Lyes South and by North from the said Thomas's Creek



and is Called by the name of Coopers Cove and Runs Westerly Down the said back Creek to a Pint of Land Called by the name of Goose point and bounded East & West along the said Main Bohemiah back Creek from the said Coopers Cove unto a Marked Chestnut Tree which stands on the West side of a Vally att the said Goose Point for bredth be it what it Will & Runing Equally from the said Coopers Cove and the said Chestnut Tree up a Long into the Woods for Length South South East or there abouts three hundred & Twenty P<sup>s</sup> Cont<sup>d</sup> in all by Estimation five hundred Acres & that the said Richard Bermingham Conveyed the same in fee symple by Deeds of Lease & Release unto a Certain W<sup>m</sup> Vanhaesdunk Riddlesdon Late of the City of Philadelphia as well for the sum of One hundred and fifty pounds with Interest Payable by the said Riddledon, Gandevitt and Read unto the s<sup>d</sup> Bermingham the sixteenth of July One thousand seven hundred and Twenty three as for Eighty pounds seven shill<sup>s</sup> and three pence paid or secured to be paid by the said Read unto a Certain Sam<sup>l</sup> Kirk of the said City at the Instance and Request of the said Riddlesdon on the Account of the said Bermingham and that the said Riddlesdon soon after his Obtaining the said Deed of Lease and Release for the Lands af<sup>d</sup> from the said Bermingham Conveyed the same by Deed of Bargain & Sale unto the s<sup>d</sup> Gandevitt and Read and their heirs and Assignes for Ever together w<sup>th</sup> all Other Lands in the Countys of Somerset Queen Ann's & Talbot (where to the said Riddlesdon pretended to have Right) in Order to secure them for being bound unto the said Bermingham for the af<sup>d</sup> one hundred and fifty pounds w<sup>th</sup> Interest on the behalf of the said Riddlesdon w<sup>th</sup> Cond<sup>n</sup> Nevertheless to be Void on the said Riddlesdon Paying unto the said Bermingham the s<sup>d</sup> sum of One hundred and fifty pounds with the Interest thereof on the s<sup>d</sup> Sixteenth day of July seventeen hundred and Twenty Three, and whereas also that the af<sup>d</sup> Gandevitt and Read by their said Petition Did further set forth that the said Riddlesdon hath not only neglected Recording the said Deed of Lease and Release of the af<sup>d</sup> Lands Conveyed to him by the said Bermingham, but alsoe Refused to Acknowledge the Deed of bargain & Sale made by him to the s<sup>d</sup> Gandevitt and Read according to Laws of this Province and that the said Riddledon hath privately w<sup>th</sup> Drawn himself unto parts beyond the Seas without paying the said Bermingham the af<sup>d</sup> One hundred and fifty pounds w<sup>th</sup> the Interest thereof or paying or secureing the Payment of the af<sup>d</sup> Several Sums of Money unto the said Gandevitt and Read for which they stand Engaged on the behalf of the said Riddledon, And therefore humbly pray'd that they might be Relieved in the Premises by this Generall Assembly and that an Act might pass to settle and Invest them the said Gandevitt and Read and their heirs and Assignes in the af<sup>d</sup> Lands in Bohemia Mannor on their proof of the allegations aforesaid And now forasmuch as the af<sup>d</sup> Gandevitt and Read

Liber LL, 4  
Acts

p. 552

Liber LL, 4 have fully proved the same allegations Be it therefore Enacted by the  
 Acts Right Honble the Lord Prop<sup>ty</sup> by and with the Advice and Consent  
 of his Lordships Governour and the Upper and Lower houses of  
 Assembly of this Province and the Authority of the same, that from  
 & after the End of this present Sessions of Assembly the said Fran:  
 Gandevitt & Jn<sup>o</sup> Read shall stand and be seized of an absolute Estate  
 of Inheritance in fee symple to them their heirs and Assignes for  
 Ever of and in the af<sup>d</sup> Lands and P<sup>r</sup>misses in Bohemia Mannor af<sup>d</sup>  
 only in as full and ample Mannor as if the af<sup>d</sup> Deed from the said  
 Bermingham to the said Riddledon had been duely acknowledged  
 and Recorded And as if the af<sup>d</sup> deed from the said Riddledon unto  
 the said Gandevitt and Read had been Duly acknowledged and  
 Recorded Pursuant to the Act of Assembly of this Province in that  
 Case made and provided Any Law or Statute to the Contrary Not-  
 withstanding. Provided alwise and it is hereby Enacted and De-  
 clared by the Authority Advice and Consent af<sup>d</sup> that if in Case the  
 said W<sup>m</sup> Vanhaesdonk Riddledon his heirs Ex<sup>rs</sup> Adm<sup>s</sup> or assignes  
 shall or Doe Satisfye and Pay unto the af<sup>d</sup> Rich<sup>d</sup> Birmingham his  
 p. 553 heirs Ex<sup>rs</sup> Administrators or assignes the said hundred and fifty  
 Pounds w<sup>th</sup> Interest thereof on the said Sixteenth Day of July One  
 thousand Seven hundred and Twenty three as alsoe the af<sup>d</sup> Sum of  
 Eighty pounds seven shillings & three pence with the Interest thereof  
 unto the said John Read his Ex<sup>rs</sup> Adm<sup>s</sup> or Assignes on the Same  
 Sixteenth Day of July in the year af<sup>d</sup> and Alsoe Satisfye and pay  
 unto the af<sup>d</sup> Fran: Gandevitt and John Read or Either of them  
 or to their or Either of their heirs Ex<sup>rs</sup> Adm<sup>s</sup> or Assignes all Costs  
 Damages and Expences whatsoever that they or Either of them have  
 or shall Sustain or be put unto by Reason or Means of they the s<sup>d</sup>  
 Francis Gandevitt and John Read's being bound for the said W<sup>m</sup>  
 Vanhaesdonk Riddledon unto the said Rich<sup>d</sup> Bermingham and  
 Sam<sup>l</sup> Kirk for the af<sup>d</sup> Severall Sums of Money that then and from  
 that time all the said Lands & Premisses shall Revert & Return unto  
 the said W<sup>m</sup> Vanhaesdonk Riddledon his heirs or assignes in as full  
 and Ample a Manner as if this Act had never been made any thing  
 in this Act to the Contrary Notwithstanding

Acts of An Act to Enable James Lloyd and Anne his wife and Deborah Pem-  
 Nov. 1722, berton Surviveing Ex<sup>rs</sup> of Robert Grundy decēd to Convey the  
 ch. 9 Lands and Watermill therein menconēd According to the Sales  
 p. 561 thereof made by the Decēd in his Life time

Whereas the said Robert Grundy in his life time sold one Lott  
 w<sup>th</sup> the Appur<sup>ts</sup> lying in the Town of Oxford in Talbot County unto  
 Dan<sup>l</sup> Sherwood of Talbot County Gent and unto James Dawson of  
 the same County a Parcell of Land Called Fentry Cont<sup>d</sup> One hundred  
 Acres with the Appur<sup>ts</sup> and a parcell of Land Called Long point Cont<sup>d</sup>  
 forty two acres w<sup>th</sup> the Appur<sup>ts</sup>, and unto Edw<sup>d</sup> Morgan two hun-

dred and thirty two acres in the said County being part of a Tract of Land Called Smith's Cliffs, and One Water Mill & Twenty Acres of Land thereunto belonging, and passed severall Obligations in Large Penaltys, whereby he obliged him Self and his heirs to Convey the same Lands and Mill and recēd the Greatest part of the Consideration Money and what Remain'd unrecēd was well secured to the s<sup>d</sup> Decēd in his life time, and stands yet well secured to his Estate the possession of w<sup>ch</sup> Lands & Mill was by the Decēd in his life time Delivered to the purchasers in Compliance w<sup>th</sup> the Sales which they have held and still Do hold and Whereas the said Robert never Conveyed the said Lands and Mill according to his Contract and the Rules of the Act for quieting possessions nor appointed any pson by his Will so to Do, and that the purchasors Cannot have good & Vallid Estates in the premises, unless some psons are by Act of Assembly appointed to Compleat the Intention of the Contracting parties as Well for the Avoiding many unnecessary Law suites on the breach of the said Obligations and to Oblige a Specifick pformance as for the benifit of the Estate of the decēd, and the Satisfaction of the purchasers, all which facts are made Sufficiently Appear to this present Gen<sup>l</sup> Assembly It is therefore prayed that it may be Enacted, And Be it Enacted by the R<sup>t</sup> hoñble the Lord Proprietor by and w<sup>th</sup> the Advice and Consent of his Lordships Governour and the upper & Lower houses of Assembly and the Authority of the same that the s<sup>d</sup> Ja<sup>s</sup> Lloyd & Ann his wife and Deborah Pemberton or the Survivor or Survivors of them shall or may by Vertue of this Act make and Duly Execute any Deed or Deeds for the Conveyances of the said Severall pcells of Land & Mill with the appurt<sup>s</sup> to the said Severall purchasors and their heirs & assigns forever in as full and Ample and Effectuall a Manner as the s<sup>d</sup> Rob<sup>t</sup> Grundy might have Done or Could do if Liveing, and that such Deeds or Conveyances shall be as Valid and Effectuall to all Intents and purposes to barr and Charge the heirs of the said Robert and to Invest the purchasors with Good and firm Estates in the premises as if Legally Executed by him the said Robert any Law usage or Custome to the Contrary notw<sup>st</sup>anding. Provided Allways that what Remain'd Unpaid of the Consideration Money to the said Rob<sup>t</sup> in his life time shall be Accounted Assets in the hands of his Ex<sup>ts</sup> and Deemed as part of his psonall Estate and Lyable to the same Distribution and Application, & Provided that the Ex<sup>ts</sup> shall save harmless and Indemnified the Estate of the said Robert Grundy from all Penalties and forfeitures for not Conveying the said Lands and Mill According to the Tenor of any bond or Other Writing by him Executed for that purpose Saveing allways to our Sov<sup>n</sup> Lord the King the said Lord Proprietary their heirs and successors and all bodies Politick and Corporate and all Others not mencōned in this Act their Severall and Respective Rights.

Liber LL, 4  
Acts

p. 562

Liber LL, 4 Acts of  
Nov. 1722, ch. 14  
p. 569

Supplementary Act to the Act for Repairing the Damages already Sustained in the Records of the Land Secretarys Comy<sup>rs</sup> and County Court Offices and for Security of the same Records for the future.

For the Better Executing of the said Recited Act, Be it Enacted by the R<sup>t</sup> Honble the Lord Proprietary by and with the Advice and Consent of his Lordship Governour and the upper and Lower houses of Assembly and the Authority of the same that Tho<sup>s</sup> Bordley & Dan<sup>l</sup> Dulany Esq<sup>rs</sup> be added to the Commissioners already Appointed by the said Act of Assembly to View and Examine the State of the publick Records therein Menconed and that the said former Commissioners (Except M<sup>r</sup> Joseph Hill who is hereby Exempted from his attendance thereon thro his bad state of health) and the said Thomas Bordley and Dan<sup>l</sup> Dulany or any three of them shall be and are Impowred and Required to Execute the severall Powers & Authorities Contained in the said Act, And be it further Enacted that

p. 570 the said Commissioners or any of them that shall Neglect or Refuse to Discharge the trust in them Reposed Except in Case of Sickness or some very Pressing Occasion to be Adjudged by the Major part of the Comm<sup>rs</sup> then Present shall forfeit five hundred pounds of Tob<sup>o</sup> to the use of free schools in the severall Countys, And that Every One of the said Commissioners shall be allowed Eighty pounds of Tob<sup>o</sup> for Every days attend<sup>s</sup> in putting this or the said Recited Act in Execution in the publick Levey And be it further Enacted that the Severall Officers shall be obliged to Give Security in the Same Sums and same Manner as Prescribed by the said Recited Act for such books as the said Commissioners or any three of them shall adjudge to be now in good Repair and that there be a Clause in the Cond<sup>n</sup> of Every bond to make the officers Answerable for Every book that shall be put into Good Repair by the Directions of the Commissioners and Delivered into the proper office to which it belongs. And be it further Enacted that the said Commissioners or any three of them shall and may by Vertue of this Act agree w<sup>th</sup> any pson that Will Undertake to Transcribe and Repair the publick Records for money or Tob<sup>o</sup> at their Discretion anything in the said Recited Act to the Contrary notwithstanding

Acts of An Act to Enable Hugh Mathews to sell a Tract of Land lying in  
Nov. 1722, ch. 17  
p. 573

Queen Ann's County Called Jones's Fancy whereof Dennis Sully-van died Seized.

Whereas the said Dennis Sullyvan Administred on the Estate of one Patrick Burke Late of Kent County decēd upon which Adm<sup>r</sup>con their appears by the Records of the Commissarys Office to Remain due to the Representatives of the said Burke two hundred and seventy four pounds Curr<sup>t</sup> money & that the said Dennis as it is alledged was Indebted to severall Other persons, and Whereas the



said Dennis by his Last Will and Testament in Writing Duly <sup>Liber LL, 4</sup> Attested and proved Devised the said Tract of Land Called Jones's <sup>Acts</sup> Fancy to Agness his Wife and Executrix upon Cond<sup>n</sup> that she should pay his Debts and In case she would not pay his Debts that the same should be sold and his Debts Satisfied out of the Money or Tobacco arising by such Sale, without appointing any particular pson to make the sale and that the said Agness refused to Act as Ex<sup>x</sup> and Renounced the Execution of the Testament af<sup>d</sup> to the s<sup>d</sup> Hugh Mathews by which she hath Disabled herself to Execute the trust Reposed in her by the Testator and Did not pay the Decēds Debts which if not Aided by an Act of Assembly will be prejudiciall to the Testators Creditors and will frustrate his honest Designe and Intent Be it Therefore Enacted by the R<sup>t</sup> Hon<sup>ble</sup> the Lord Proprietary by and with the advice and Consent of his Lordship's Governour and the Upper and Lower houses of Assembly and by the Authority of the same that the said Hugh Mathews shall be and is Impowered by Vertue of this Act to Sell and Convey the said Land Called Jones's <sup>p. 574</sup> fancy to the highest bidder and to make and Duly Execute any Deed or Conveyance According to the Laws of this province and that the purchaser paying the Consideracōn shall by Vertue of such Deed or Conveyance and this Act have as Good and Valid an Estate in the said Land as if the said Hugh Mathews was Expressly Impowred by the will of the Testator to sell & Convey the same, And be it further Enacted by the Authority advice and Consent af<sup>d</sup> that the Money or Tob<sup>o</sup> Arriseing by the Sale of the said Land shall be Deemed to be Assetts in the hands of the said Hugh Mathews and Applied to the payment of the Debts of the s<sup>d</sup> Dennis Sullivan and the Residue if any be Disposed of According to the Testators Will and the Laws of the Land in such Cases and that the said Hugh Mathews shall be Obliged to give good and Suff<sup>t</sup> Security in the penalty of three hundred pounds Sterl for the Due adm<sup>c</sup>on of the said Dennis Sullivans Estate, and that, that security be Chargeable with the Money or Tob<sup>o</sup> Arriseing by the sale of the said Land in the same manner as with the psonall Estate of the said Sullyvan, Saveing to his most Sacred Majesty, the Right Honble the Proprietary & all bodys politick and Corporate and all Others not Mentioned in this Act their Severall and Respective Rights.

An Act for the Relief of some psons that have Suffered by the Mis- <sup>Acts of</sup> conception of the Laws heretofore made to Regulate the making <sup>Nov. 1722</sup> of Tob<sup>o</sup> <sup>ch. 18</sup>

Whereas Some Magistrates have understood that for Every parcell of Bad Tob<sup>o</sup> in any house the Owner was Subject to a Separate fine of one thousand pounds of Tob<sup>o</sup> for Each parcell Contrary to the true Intent of the said Laws which Intended no more than one fine for <sup>p. 575</sup> all parcells in One house and at one time of Conviction, whereby as

Liber LL, 4 it is Represented to this Present Generall Assembly, Susanah Thomas  
 Acts of Charles County Widow Tho<sup>s</sup> Pagett of Prince Georges County  
 and W<sup>m</sup> Bruce of Calvert County have been Greatly Damnified

Be it Therefore Enacted by the R<sup>t</sup> Hon<sup>ble</sup> the Lord Prop<sup>ty</sup> by and  
 with the advice and Consent of his Lordship's Governour and Lower  
 house of Assembly and the Authority of the same that all Executions  
 that are awarded or Executed in pursuance of the said Laws ag<sup>t</sup> the  
 s<sup>d</sup> Susannah Thomas Tho<sup>s</sup> Pagett & W<sup>m</sup> Bruce, shall be and are  
 hereby stayd untill the sitting of their Respective County Courts that  
 shall next happen after the publication, or of their haveing Due notice  
 of this Act, and that it Shall and may be Lawfull for the said Courts  
 in a summary way to Enquire into the Greivances of the said Susan-  
 nah Thomas; Tho<sup>s</sup> Pagett and W<sup>m</sup> Bruce and to Do therein as to the  
 Confirming or Reversing such proceedings and Execution as shall  
 be agreeable to the Intent of this and the af<sup>d</sup> Laws whose Judgment  
 shall be finall

Acts of  
 Nov. 1722,  
 ch. 20  
 p. 576

An Act for the Relief of Jn<sup>o</sup> McClester of Som<sup>r</sup>sett County  
 Gentlemen.

Whereas the said Jn<sup>o</sup> McClester in the year Seventeen hundred  
 and Nine became bound w<sup>th</sup> John Bozman Late Sherr. of Somerset  
 County in the Penalty of two hundred thousand pounds of Tob<sup>o</sup> for  
 the Due Execution of the s<sup>d</sup> office which same Bozman Dyed some  
 years since very Considerably Indebted to the sev<sup>ll</sup> p<sup>sons</sup> for Tob<sup>o</sup>  
 Received by him as sherr. & that the Creditors of the said Bozman  
 have Caused the said McClester to be sued on the said bond ag<sup>t</sup> whome  
 Judgm<sup>t</sup> is Recovered for the penalty thereof, And whereas the said  
 Bozman had but a very small p<sup>sonall</sup> Estate and that what he Dyed  
 possessed of hath been already applyed to the payment of his Debts  
 so that nothing Remains whereby the said McClester may be In-  
 dempnified and that by the Laws of this Province the bond Entered  
 into by the said Bozman is not assignable to the said McClester nor  
 the heir at Law of the said Bozman Suable thereon. at his the said  
 McClesters Request Be it therefore Enacted by the R<sup>t</sup> Hon<sup>ble</sup>  
 the Lord Prop<sup>ty</sup> by and with the advice and Consent of his Lordships  
 Governour & the Upper and Lower houses of Assembly and the  
 Authority of the same, that it shall and may be Lawfull for the  
 Governour of this province at the Instance and Request of the said  
 Jn<sup>o</sup> McClester to Assigne the said John Bozmans bond to him the  
 said John McClester and that the said Jn<sup>o</sup> shall be and is Enabled  
 by this Act to Crave an Action or Actions to be Commenced thereon  
 and the same to prosecute ag<sup>t</sup> any p<sup>son</sup> w<sup>tsoever</sup> in the same manner  
 that hath been used by Publick Creditors his the said M<sup>c</sup>Clesters being  
 p. 577 bound in the said Bond or any Law or practice to the Contrary  
 Notwithstanding. Provided that the Other Surety of the said  
 John Bozman or his representatives shall be Entituled to the same

Remedy w<sup>th</sup> the said John McClester so farr as may be necessary for his or their Indempnity. Liber LL, 4  
Acts

An Act to Enable Tho<sup>s</sup> Dent of Charles County and Ann his Wife to sell part of a tract of Land lying in Prince Georges County Called Locust Thicket Entailed on the said Dents Wife & her heirs &c and for Entailing Other Lands in Charles County in Lieu thereof. Nov. 1722,  
ch. 21

Whereas Capt. John Bayne by his Certain Deed of Gift Duely Executed and Inroled did Give and Convey unto his Daughter Anne Bayne by the name of Ann Bayne of Charles County part of a Certain Tract or parcell of Land lying in Prince Georges County known by the name of Locust Thicket in these words, the said Ann Bayne to have and to hold the said parcell of Land and all and Singular the premisses whatsoever to the Only Proper use and behoofe of the said Ann Bayne and the heirs of her body Lawfully begotten, and faileing such heirs then to the brother or Sister of the s<sup>d</sup> Ann Bayne born of the said Ann's Mother and failing such brother or sister then the af<sup>d</sup> Land and Premisses af<sup>d</sup> with all the appurt<sup>s</sup> shall Return to the said Jn<sup>o</sup> Bayne & his heirs.

And Whereas Tho<sup>s</sup> Dent of Charles County who Intermarried with the said Ann Bayne Daughter of the above menconed John Bayne by his humble Pet<sup>n</sup> hath Set forth to us that he is Indebted Sundry sums of Money for the w<sup>ch</sup> he is now under Arrest and hath not any means left whereby he may Conveniently Discharge himself from the same unless An Act of Assembly of this province be made in his favour to Enable him to sell and Dispose of the Land above mencōned & make the purchaser or purchasers thereof a good Estate in fee symple And for that the said Thom<sup>s</sup> Dent is Willing to Settle Lands in Charles County of Equall Vallue (in Lieu thereof) On the said Ann and her heirs & under the same Limitation of the Estate therein the af<sup>d</sup> part of the parcell of Land Called Locust Thickett by the Deed of Gift from the said John Bayne was Subjected to. And further for that the said Ann hath Signified her free Consent & Willingness thereto (on the Cond<sup>n</sup> before menconed) as by her Acknowledgm<sup>t</sup> thereof Taken before the Worshipfull W<sup>m</sup> Stone and Joseph Harrison Two of his L<sup>d</sup>ships Justices of the peace for Charles County To us appears. And for that the Land Intended to be Settled in Lieu thereof is of Greater Vallue then the said Anns part of the af<sup>d</sup> parcell of Land Called Locust Thicket But for that the said Tho<sup>s</sup> Dent is Settled on the said Lands in Charles County and it Would be of very Great Damage to him to Remove therefrom. Therefore Be it Enacted by the R<sup>t</sup> Honble the Lord Prop<sup>r</sup> by and with the advice and Consent of his Lordships Governour and the Upper and lower houses of Assembly and the authority of the same that the said Tho<sup>s</sup> Dent and Ann his Wife be and are hereby Impowred to sell assigne Transferr Convey and make Over by Deed p. 578

Liber LL, 4 of Sale unto any purchasor or purchasors whatsoever a good and  
 Acts Sufft Estate in fee Simple of in and to the above Menconed part of  
 the tract or parcell of Land Called Locust Thicket in as full and ample  
 Manner to all Intents Constructions and purposes as if the same by  
 the aforementioned deed had been Given to the s<sup>d</sup> Ann Bayne and her  
 heirs for Ever without any Limitation in the s<sup>d</sup> deed any thing in the  
 said Deed to the Contrary notwithstanding Provided Allways that  
 at the same time the said Tho<sup>s</sup> Dent or his heirs shall and Doe make  
 Over and Convey unto the said Ann by a Good and Sufft Conveyance  
 with Generall Warrantee a Certain Tract or parcell of Land lying  
 in Charles County On the North side of Potomack River and on the  
 West side of Nanzemy Creek Cont<sup>g</sup> by Estimation six hundred and  
 fifty Acres & now in the Tenure and Occupation of the s<sup>d</sup> Tho<sup>s</sup> Dent  
 & under the same Limitations and Restrictions as the aforesaid  
 part of the Tract or parcell of Land Called Locust Thicket by the  
 deed aforesaid was Subjected to And be it Enacted that the said  
 Ann and the heirs of her body Lawfully begotten and failing such  
 579 heirs the brother or Sister of the said Ann's Mother and failing such  
 Brother or Sister the af<sup>d</sup> John Bayne and his heirs henceforth shall  
 be and they are hereby vested with the same Estate of in and to the  
 af<sup>d</sup> Tract or parcell of Land lying in Charles County on the North  
 side of Potomack River and on the west side of Nanzemy Creek  
 Cont<sup>g</sup> by Estimation Six hundred and fifty acres and now in the  
 Tenure & occupation of Tho<sup>s</sup> Dent af<sup>d</sup> when so made Over and Con-  
 veyed as af<sup>d</sup> as was Given and Conveyed or Intended to be Given  
 and Conveyed in the af<sup>d</sup> part of the Tract or parcell of Land Called  
 Locust Thicket in the same Manner as if the af<sup>d</sup> Six hundred & fifty  
 acres of Land and all and Singular the premisses whatsoever had  
 been Given unto the s<sup>d</sup> Anne Bayne and the heirs of her body  
 Lawfully Begotten and faileing such heirs then to the brother or  
 Sister of the said Anne Bayne born of the said Ann's Mother and  
 failing such brother or Sister then the af<sup>d</sup> Land and premisses af<sup>d</sup>  
 w<sup>th</sup> all the appurt<sup>s</sup> shall Return to the said John Bayne and his heirs  
 by the Deed of the said John Bayne Saveing to our Sovn: Lord the  
 King the R<sup>t</sup> Hon<sup>ble</sup> the Lord Prop<sup>ty</sup> their heirs and Successors  
 all bodies Politick and Corporate and all Others not mencōned in this  
 Act their Severall & Respective Rights.

Provided allways and it is the true Intent and Meaning of this Act  
 that before the said Thom<sup>s</sup> Dent and Ann his Wife be Enabled to sell  
 and Dispose of the said part of the tract of Land Called Locust  
 Thicket or Receive any Benifit or advantage by Vertue of this Act  
 or any thing therein Contained they Doe make Oath before the Jus-  
 tices who take the Acknowledgm<sup>t</sup> of the Deed of Settlement afore-  
 mencōned that the Land in the same Deed Mencōned is not any ways  
 Incumbred by any Act or Deed of theirs or Either of them hereto-  
 fore had made Done or suffered, but that the same is free & Clear



from all Manner of Incumbrances whatsoever to the best of their knowledge w<sup>ch</sup> Oath shall be Certified by the same Justices on the back of the deed and be Recorded therewith. Liber LL,  
Acts

And Be it Enacted that if the said Tho<sup>s</sup> Dent and Ann his Wife or Either of them shall swear falsley and be thereof Convict the party so Offending shall Suffer like Pains and Penalties of persons Convict of Corrupt and Willfull Perjury.

And be it Likewise further Enacted that the money or Other Effects that shall Arrise and become Due unto the said Thomas Dent or his heirs for or on Account of the Sale of af<sup>d</sup> Part of the Tract of Land Called Locust Thicket shall be applied Toward the Discharge of all such Just Debts Dues and Demands as are at this time Due to and Demandable by any Creditor from the said Tho<sup>s</sup> Dent and no Otherwise.

An Act for the Relief of W<sup>m</sup> Griffin & W<sup>m</sup> Jarvis Languishing prisoners in Calvert County and Robert Morris a Languishing prisoner in Ann Arundell County. Acts of  
Nov. 1722,  
ch. 22  
p. 580

Whereas W<sup>m</sup> Griffin and W<sup>m</sup> Jarvis of Calvert County, & Rob<sup>t</sup> Morris of Ann Arundell County have by their humble Pet<sup>ns</sup> to this present Gen<sup>l</sup> Assembly Severally set forth that they have Continued prisoners for Debt in the Custody of the sherr: of the severall Countys af<sup>d</sup> Viz. W<sup>m</sup> Griffin & W<sup>m</sup> Jarvis in the Custody of the sherr: of Calv<sup>t</sup> County and Rob<sup>t</sup> Morris in the Custody of the Sherr. of Ann arundell County for a Considerable time past and still Continue in the Like Deploable Circumstances not being able to Redeem their Bodys with all the Estate or Interest they have in the World which they would Readily surrender up and part w<sup>th</sup> to their Severall and Respective Creditors if they would Accept of the Same and Grant the said Petitioners their Liberty w<sup>ch</sup> seems so unlikely for them to Obtain that unless Relieved by a particular Act to be past in their favour which by their said Petition they have humbly prayd, they must Inevitably Continue prisoners for Life and thereby their familys utterly Ruined and for that the truth of the said Petitioners Allegations is made Appear to this Generall Assembly by suff<sup>t</sup> Testimony and that the said Petitioners and their familys are fitt Objects of Charity and that their lying in Goal Can be no benefit to their Creditors It is humbly prayed that the said Pet<sup>rs</sup> may be Relieved according to their prayer and that it may be Enacted, And be it Enacted by the R<sup>t</sup> Hon<sup>ble</sup> the Lord Propyretor by and with the Advice & Consent of his Lordships Governour and the Upper and Lower houses of Assembly and the Authority of the same that Unless all or any of the Creditors of the said W<sup>m</sup> Griffin W<sup>m</sup> Jarvis and Robert Morris or the Creditor or Creditors of any or Either of them or the Attorney or attorneys of such Creditor or Creditors af<sup>d</sup> w<sup>th</sup>in this province shall within Twenty Days after p. 581

Liber LL, 4 the End of this Sessions of Assembly go to the Sherr. of the af<sup>d</sup>  
 Acts County of Calvert and Ann arundell and Give good Security to pay  
 the Imprisonment fees at Ten p<sup>ds</sup> of Tob<sup>o</sup> p Day that shall or may  
 become Due from the said W<sup>m</sup> Griffin W<sup>m</sup> Jarvis and Robert Morris  
 after the end of the said Twenty Days and Alsoe to find the said  
 Cloathing Dureing their future Imprisonm<sup>t</sup> in Case they the said  
 W<sup>m</sup> Griffin W<sup>m</sup> Jarvis & Rob<sup>t</sup> Morris shall Deliver up and Surrender  
 or Cause to be Delivered up and surrendered to the Sherr. of Calvert  
 and Ann<sup>l</sup> Countys aforesaid in the presence of two Justices of the  
 peace in Each of the said Countys whome the said Sherr. are hereby  
 required to sumons on the Request of the said W<sup>m</sup> Griffin W<sup>m</sup> Jarvis  
 and Robert Morris at the Dwelling Plantations or places of abode of  
 the said W<sup>m</sup> Griffin W<sup>m</sup> Jarvis and Robert Morris at some Con-  
 venient time before the Twentyeth day of November Instant all their  
 Reall and psonall Estate Either in Possession Reversion Remainder  
 or Intrust or in or unto which they have or any or Either of them hath  
 any Claim or Interest whatsoever and Doe Likewise by the Day  
 aforemencōned Convey assigne Transferr and make Over unto the  
 said sherr<sup>s</sup> of Calvert and Ann arundell Countys for the use of their  
 said Creditors all such their Estate Interest or Claim as af<sup>d</sup> after such  
 Manner as by the said sherr<sup>s</sup> and the Major part of the said Creditors  
 or of such of them as shall think fit to Direct therein or their Council  
 Learned in the Law shall Reasonably Devise or Require at the Costs  
 and Charges of such psons as shall Claim the benefit thereof so as  
 the said W<sup>m</sup> Griffin W<sup>m</sup> Jarvis and Robert Morris be not burthened  
 with any warrantys thereby Other than from themselves or those  
 that Claim by from or under them and that the said W<sup>m</sup> Griffin W<sup>m</sup>  
 Jarvis and Rob<sup>t</sup> Morris and Either of them at the time of such their  
 Surrender and transferring their Estate as af<sup>d</sup> shall take his or their  
 Solemn Oath or Oaths or Test before the said two Justices of the  
 Respective Countys af<sup>d</sup> so to be summoned as aforesaid to the Effect  
 following Viz. I A. B. Do solemnly swear that the Goods Debts  
 and Effects which I have Delivered assigned and made over to the  
 sherr. of County and In Trust for the use of my Creditors  
 is the whole Estate both Reall & psonall of my Own in Possession or  
 have any Title to in the world and that I have not any Estate Goods  
 or Effects of any Kind whatsoever left Either in Poss<sup>n</sup> Reversion  
 or Remainder (the Necessary wearing Apparrell for myself Wife  
 and Children Excepted) and that I have not Directly or Indirectly  
 sold Leased or Otherwise Conveyed Disposed of or Intrusted all or  
 any part of my Estate hereby to secure the same to Receive or Expect  
 any profit or Advantage thereof So help me God It shall and may  
 be Lawfull for the sherr. of the Respective Countys of Calvert and  
 Ann arundell aforesaid after the end of the said Twenty Days and the  
 said Sherr<sup>s</sup> are hereby Required to Discharge the said W<sup>m</sup> Griffin W<sup>m</sup>  
 Jarvis and Robert Morris Out of their Custody and to Suffer them

to goe at Large And be it Enacted that upon the said W<sup>m</sup> Griffin W<sup>m</sup> Jarvis and Rob<sup>t</sup> Morris their Complying with what is Required of them by this Act that they the said W<sup>m</sup> Griffin W<sup>m</sup> Jarvis and Robert Morris and Either of them their and Either of their heirs Ex<sup>rs</sup> or adm<sup>s</sup> shall be by Vertue of this Act Acquitted Exonerated Released and Discharged of and from all Manner of Debts Dutys Claims and Demands whatsoever that have been Severally Contracted by them or have Arose Due or become Demandable from them at any time before the sitting of this present Generall Assembly and that in Case the said W<sup>m</sup> Griffin W<sup>m</sup> Jarvis & Robert Morris or Either of them shall after such their Compliance and Discharge as aforesaid be arrested or sued for any such their Debts or Duties as aforesaid or that the said Sherr. shall be sued for any matter or thing Required of them or Either of them to be Done by this Act that then the said W<sup>m</sup> Griffin W<sup>m</sup> Jarvis and Robert Morris or the said sherr<sup>s</sup> or Either of them whome it may Concern may Enter a Common appearance or appearances without Special Bayle to any such action or Actions as shall be brought against them any or Either of them and plead thereto the Generall Issue and give this Act or the Exemplification thereof with the Speciall Matter thereon Arising in Evidence and that in Case the Pltf or Pltf<sup>s</sup> Comencing and bringing such Action or Actions as af<sup>d</sup> shall be nonsuit the Defend<sup>t</sup> or Defendants shall Recover against him or them Double Costs of suit any Law Statute usage or Custome to the Contrary notwithstanding And be it further Enacted that the sherr<sup>s</sup> of the severall and Respective Countys aforesaid and Either of them shall after such Surrender and Delivery up as af<sup>d</sup> give publick notice at the Churches Court houses and Mills w<sup>th</sup> in the said Countys of some precise time by them the said Sherr<sup>s</sup> and the said two Justices to be Appointed for the Distribution of the said W<sup>m</sup> Griffin W<sup>m</sup> Jarvis & Robert Morris their Effects and Estate not Less than twenty days after the time of the making the said Surrender and shall then and there in the presence of two Such Justices as af<sup>d</sup> and by their Advice and directions make Distribution of the Estate or Estates of the said W<sup>m</sup> Griffin, W<sup>m</sup> Jarvis and Robert Morris or of the Estate or Estates of Either of them so as af<sup>d</sup> to be Surrendered and Delivered up or Transferred Amongst such of their said Creditors Only as shall then by themselves or their Lawfull Attorney or Attorneys think fitt to be present at such Distribution by an Equall and proportionable Distribution Thereof to Every such Creditor w<sup>th</sup> Respect had and In proportion to the Largeness of his or her Debt, the proceedings of the said Justices and sherr<sup>s</sup> in that behalf to be Certifyed to the Courts of the Severall Countys af<sup>d</sup> and their Lodged for the perusall of any of the Creditors of the said W<sup>m</sup> Griffin, W<sup>m</sup> Jarvis and Robert Morris that shall Require the same without any fee to be paid thereon or for such Lodging thereof, saveing the Right of the said Lord Pro<sup>vy</sup> his heirs

Liber LL, 4  
Acts

Liber LL, 4 and successors & of all bodys politick and Corporate, Provided  
 Acts Nevertheless that in Case the said W<sup>m</sup> Griffin, W<sup>m</sup> Jarvis, and Rob<sup>t</sup> Morris or Either of them shall at any time after the Makeing such his or their Oath or Oaths or takeing such Test af<sup>d</sup> be Convict of Willfull and Corrupt perjury there upon or of a Willfull breach or non Compliance with the Tenure of such Test that then the said W<sup>m</sup> Griffin W<sup>m</sup> Jarvis and Rob<sup>t</sup> Morris or such of them as shall be Convict as af<sup>d</sup> shall upon such Conviction be adjudged to stand two houres in the Pillory and have his left Ear Cut off and shall be wholly Deprived of any benefit Designed him them or Either of them by this Law and shall be from thenceforth lyable to be prosecuted for any Debts or Demands whatsoever in the same Manner as if this Act had never been made anything therein Contained to the Contrary notwithstanding, Provided allways that the severall persons Intended to be Releived by this act shall be and are obliged to pay or secure the payment of their Imprisonm<sup>t</sup> fees to the severall sherr<sup>s</sup> in whose Custody they are by Servitude or otherwise without which they are not to have any Benefitt or advantage by this act anything therein Contained to the Contrary notwithstanding, And alsoe provided that the Comissioners of Ann Arundell County shall be and are Impowred by Vertue of this Act in a Summary way to here and Determine all Disputes and Controverseys Concerning all or any part of the Estate of Robert Morris that shall appear to them to have been Misapplied and to Releve the Creditors according to the Rules of Justice and Equity.

Acts of Oct. 1723, ch. 6 p. 587 (The Proprietary dissented) [Other Acts of this Session are printed in Vols. 34 and 36 of the Archives] An Act to Prevent the great Evils arising by the Importation of Convicts into this Province and for the better Discovery of such when Imported.

Whereas the great number of Convicts of late years Imported into this Province have not Only Comitted severall murders Burglarys and Other felonies but Debauched the minds and Principles of severall of the Ignorant and formerly Innocent Inhabitants thereof so far as to Induce them to Comitt Severall of the like Crimes The Perpetration whereof are now become so Comon and frequent that honest People are very Insecure in their lives or Propertys And Whereas the greatest Part of the Magistrates Time is taken up in the Tryall & Prosecution of the said Convicts and their proselytes to the great Delay of all Civil Business and the Insupportable Expence of the Countrey which Evils are in a great measure Occasioned by the Masters or Owners of such Convicts not takeing Care to keep them w<sup>th</sup>in due bounds and restraining them from Injuring their neighbours for Remedy whereof.

Be it Enacted by the Right Honourable the Lord Proprietor by & with the Advice and Consent of his Lordships Governour and the



Upper and lower houses of Assembly and the Authority of the same That every Inhabitant of this Province that hereafter shall buy any Convict Servant shall be & is by this Act Obliged w<sup>th</sup>in Twenty Days after the Publication hereof or purchase of such Convict Servant to give and Enter into Recognizance in the Sum of Thirty Pounds Current money of Maryland before some Justice of the Prov<sup>l</sup> or County Court for the good Behaviour of such Convict Servant for the space of One whole year from the Date of such Recognizance which Recognizances are to be renewed yearly and Every year during the Time of the Servitude of such Convict Servant And to be returned by the Severall Magistrates takeing the same to the County Clerks respectively where the Persons recognizing reside to be by him Entred upon Record. Liber LL, 4  
Acts

And Be it Enacted by the Authority Advice and Consent aforesaid that any Person that shall hereafter buy any Convict Servant that shall neglect or refuse to give a Recognizance According to the Directions of this Act by the Space of Twenty Days after the publication thereof or Purchase of such Convict Servant and renew the Same Recognizance yearly as aforesaid shall forfeit the Quantity of four Thousand Pounds of Tobacco One half to the Lord Proprietor for and towards Defraying the Publick Charge of this Province the Other half to the Informer or him that will Sue for the Same to be recovered by Action of Debt Bill Plaint or Information wherein no Essoyn Protection or Wager of Law shall be Allowed And to the End that it may be known when & to whom any Convict Servants are Sold.

Be it Enacted that Every Person haveing the sale of Any such Convict Servant within this Province shall be and is hereby Obliged to make Oath or Affirmation if a Quaker before one Justies of the Provincially or County Court within Six Days after such Sale of the time of the Sale of such Convict Servant And to whom Sold Which Deposition or Affirmation shall be by such Magistrate Transmitted to the Clerk of the County who is hereby Obliged to Enter the same on Record w<sup>th</sup>out fee or reward and that an Exemplification of such Deposition or Affirmation shall be received as Evidence to prove the fact therein Contained And that the person selling such Convicts and neglecting to Do what is by this Act required shall forfeit Twenty thousand pounds of Tobacco to the use aforesaid to be recovered as aforesaid, and for the better Discovery of Convict Servants Be it Enacted that Every Master of a Ship or Other Vessell that shall hereafter Import any Servants into this Province shall be Obliged at the Time of the Entry of his ship or other Vessell as aforesaid to Declare upon Oath or Affirmation (if a Quaker) which the Navall Officer of the Port is by this Act Impowered to Administer, whether he knows of any Convicts among the Servants by him Imported and to give a List of their names to the Navall Officer to be by him Trans-

Liber LL, 4  
Acts mitted to the Clerk of the County Court within Twenty Days after the Entry of such Ship or Other Vessel to be Entred upon Record And that Every Master of a ship that shall refuse to make Oath or Affirmation According to the Directions of this Act shall forfeit One hundred & fifty pounds sterling for the use aforesaid to be recovered as aforesaid And be it further Enacted by the Authority aforesaid by & with the advice and Consent aforesaid that every Magistrate takeing any Recognizance or Depositions in pursuance to the Directions of this Act shall for every recognizance or Deposition by him so taken have and receive from the person entring into such recognizance or Causing such Deposition to be taken as aforesaid the sum of five shillings Currant money of Maryland as a fee or reward for the same to be paid by the Purchaser or Owner of such Convict Servant.

Acts of  
Oct. 1723, relating to the Ease of the Inhabitants in Examining Evidences  
ch. 7  
p. 588 Injunctions.

Whereas the Bounds of Land in this Province Depend Cheifly upon Marked Trees which are Subject to Decay or upon Bays, Rivers, Creeks or Branches the names whereof do frequently become Obsolete or Change by which means the true Bounds of such Lands in Process of Time become Doubtfull and Cause Tedious and Chargeable Law Suits to the Owners thereof and very often the Loss of their Inheritance

Wherefore for the more easy Examination of Evidences in perpetuall memory relating to Boundaries.

Be it Enacted by the Right Honourable the Lord Proprietor by and with the Advice and Consent of his Lordships Governour and the Upper and lower houses of Assembly and the Authority of the same that from and After the End of this Present Session of Assembly upon the Petition of any pson seized or possessed of Lands in his Own or any Other Right to any of the severall County Courts within this Province where the Land lies for a Comission to Examine Evidences to prove or perpetuate the memory of any the bounds of such Lands or of any Other Lands whereon the Lands he shall be so seized or possessed of shall Depend or whereto they relate It shall and May be lawfull for the Justices of such County Court as often as any such petition shall be to them preferred to grant a Comission to four Substantial & Capable Freeholders w<sup>th</sup>in the said County not being any way related to any of the Partys nor Interested in the Land Impowering them or any three or two of them they haveing first Taken an Oath before the said County Court or some Magistrate Duly and Impartially to Examine and Certifie such Evidences to Issue Sumons for all such Evidences as shall be to them Nominated by the Petitioner or Other person Concerned to Ap-

pear before them at a Certain Day by them to be appointed upon the Lands the boundarys whereof are to be Proved or perpetuated and to Examine All such Evidences upon their Corporall Oaths (to be Administred by such Commissioners) of their knowledge Concerning the severall Bounds of such Lands and Carefully to reduce what the Evidences shall Declare into Writing in the presence of all the Parties Concerned that shall be there Present and return the same to the County Court where the Land lyes to be Recorded in Perpetual Memory. And Be it Enacted that all Examinations of Wittnesses that shall be taken by Vertue of and in pursuance of this Act shall be as good and available as if taken according to the Rules and Practice of the Court of Chancery any Defect or want of form or of fileing or Exhibiting a Bill or any Law usage or Custom to the Contrary notwithstanding Provided always that the Comissioners to be Appointed by Vertue of this Act shall before their Meeting on such Land where all Parties Concerned live in the County or where they are not known Affix Publick notes at the Parish Church where the land lies three Sundays at the least before their meeting Intimating their Intentions and the Time they shall Appoint and shall Cause the like notes to be put up in the most Publick Places in the County Twenty Days before such meeting and that where all persons Interested are known and any one of them lives Out of the County that notice shall be given by affixing a note at the Church Door of the Parish in which the Party resides forty Days at the least before such meeting of the Commissioners and that the Commissioners shall return a Certificate of haveing given notice directed by this Act with the Examination of the witnesses.

Liber LL, 4  
Acts  
p. 589

And Whereas many Persons in the Remoter Countys of this Province having Equitable Rights against the Recoveries of Law that happen against them in such Counties but before the Inconveniency of their purchasing Injunctions as the Practice stands at present are obliged to submitt to the Injuries they receive or to procure sureties to go with them to Annapolis to Enter into Bond in the Chancery Office which is almost Impracticable for Remedy whereof

Be it further Enacted that in Case any Person shall think fitt to Proceed in Equity against Any Verdict or Judgment rendred against him on his application to the County Court It shall and may be lawfull for such County Court to take Sufficient Security from such Person with two Sufficient Sureties in not less then Double the Debt and Cost recovered against him for the Due Prosecution of a Writt of Injunction in that Case according to the form following. Know All Men by these Presents that we A B : C D : & E F of . . . . County are held & firmly bound unto R M of &c in the full & Just sume of. . . . to be paid to the said R M, his Executors Administrators or Assignes, to the true payment whereof we bind Our

Liber LL, 4  
Acts selves and Every of us our and every of Our heirs Executors and Administrators Joyntly and Severally for and in the whole firmly by these Presents Sealed w<sup>th</sup> Our Seals and Dated this      day of      Anno Domini 17. . . . Whereas the above bound A B hath obtained an Injunction to Stay Proceedings at Law on a Judgment rendred against him in      County Court by      for

Now the Condition of the above Obligation is such that if the said A B shall Prosecute the said Writt of Injunction with Effect and Satisfie and Pay as well the said      as All Costs Damages and Charges that shall Accrue in the Chancery Court or be Occasioned by the Delay of Execution on the said Judgment unless the Court of Chancery shall Decree to the Contrary and shall in All things Obey such Order and Decree as the Chancery Court shall make in the Premises then the above Obligation to be Void and of none Effect else to be in full force and Vertue And that such Bond so given shall be a Sufficient Supersedeas and Stop to any further Proceedings in that Case untill the Person against whom such Chancery Relief is proposed shall Obtain a Certificate from the Chancellor or his Register of the Disallowance of an Injunction in such Case Or that such Injunction has not been sued Out of the Chancery Office within two months after such Bond given or if sued Out, that the same is Dissolved.

Provided always and be it Enacted by the Authority aforesaid that the Commissioners and Evidences for their Services and Attendance shall have and be Entituled to the same Allowances as Justices and Evidences in the County Courts are And that the same shall be Levied in the same Manner as Officers fees are

Acts of  
Oct. 1723,  
ch. 9  
p. 590 An Act for the Relief of George Robins of Talbot County Gent. Whereas It appears to this Assembly on the Representation of the said George Robins that a Certain Jobe Evans on the Eighteenth Day of May Sixteen hundred ninety and nine by Deed of Bargain and Sale for the sum of Seventy Pounds Sterling Conveyed unto Robert Smith Esq<sup>r</sup> decēd and his heirs a Tract of Land Called the Wallnutt Ridge Containing Six hundred acres more or less Scituate on the Branches of Corsica Creek then in Kent but now in Queen Ann's County and that the said Jobe Acknowledged the same Deed on the Twelfth Day of July in the Year aforesaid before Thomas Tench Esq<sup>r</sup> then One of the Councell of State of this Province And Whereas it further Appears that the said Lands are become the Right of the said George Robins as heir at Law to his father Thomas Robins who purchased those Lands from the heirs of the said Robert Smith and that the Deed aforesaid from the aforesaid Jobe Evans unto the said Robert Smith through his neglect and Omission was not acknowledged and Recorded pursuant to the Act of Assembly in that Case made



and Provided And for that it appears to this Generall Assembly that the heirs of the said Jobe Evans have had notice thereof who answer that they know nothing Concerning the Lands aforesaid It is therefore prayed that it may be Enacted, Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordship's Governour and the Upper and lower houses of Assembly and the Authority of the same that it shall and may be lawfull for the aforesaid George Robins to Cause the aforesaid recited Deed of Bargain and Sale to be recorded in the Land Records of Queen Ann's County Court at Any Time within Six months from the End of this Sessions of Assembly and that the same Deed when recorded as aforesaid and Every Part thereof shall be good and Valid to all Intents and Purposes and that the aforesaid Lands by Vertue thereof and of this Act shall pass from the said Jobe Evans to the said Robert Smith his heirs and assigns in as full and ample Manner as if the said Recited Deed from the said Jobe Evans to the said Robert Smith had been Acknowledged and Recorded in the Records of Kent County Court within the Time limited by the Law then in force. The want of Acknowledging or recording the same Deed or any Law Statute Usage or Custom to the Contrary notwithstanding. Saving to his Sacred Majesty his heirs and Successors and to the Right Hon<sup>ble</sup> the Lord Proprietary his heirs and successors And all Bodies Politick and Corporate And all Others not mentioned in this Act their Severall and respective Rights.

Liber LL, 4  
Acts

An Act for the Relief of William Jarvis and William Griffin Languishing Prisoners in Calvert County

Acts of  
Oct. 1723,  
ch. 10

Whereas William Jarvis and William Griffin by Petition have set forth to this present Generall Assembly that notwithstanding An Act made last Sessions for their Releif they are still (through neglect Omission or Willfullness of Sabret Sollers formerly Sheriff of Calvert County his not Putting the said Act in Execution According to the Purport and Intent thereof) kept and Detained in Close Prison by the Present Sheriff And it appearing to this Present Generall Assembly that the said Petitioners Continue still to be Objects worthy of Releif Be it Enacted by the Right Honourable the Lord Proprietor by and with the Advice and Consent of his Lordship's Governour And the Upper and lower houses of Assembly and the Authority of the same, That One Act of Assembly made at a Sessions of Assembly begun and held at the City of Annapolis the ninth Day of October Seventeen hundred and twenty two Entituled An Act for the releif of William Griffin and William Jarvis Languishing Prisoners of Calvert County and Robert Morris a languishing Prisoner of Ann Arundell County as farr as it Relates to the releiving the said William Griffin and William Jarvis two of the languishing

p. 591

Liber LL, 4      Prisoners therein mentioned, be & is hereby revived and Declared to  
 Acts              be of as full force and Effect to all Intents Constructions and Pur-  
                      poses whatsoever for the releif and Discharge of the aforesaid Wil-  
                      liam Griffin and William Jarvis and shall be Executed and Performed  
                      by the Present Sheriff of Calvert County in the same manner after  
                      the end of this Present Sessions of Assembly as, if the same had  
                      been Enacted De Novo this Sessions. Provided always that the said  
                      William Jarvis and William Griffin be and are hereby Declared to be  
                      Discharged and Acquitted from all fees Due to the former or present  
                      Sheriff of Calvert County on Account of their Imprisonment any  
                      thing in the former Act Contained to the Contrary thereof notwith-  
                      standing.

Acts of      An Act for Releif of Elizabeth Major of Prince Georges County by  
 Oct. 1723,      Impowering her notwithstanding her Coverture to Lease for her  
 ch. 13              life the Lands therein mentioned.  
 p. 595

Whereas Elizabeth Major by her Petition has humbly set forth  
 to this Present Generall Assembly that her former husband James  
 Brooke of the County aforesaid Gent Died Intestate so that Right of  
 Dower of and in all the Lands the said James was seized of at the  
 Time of his Death Accrewed to her And that sometime after the  
 Decease of the said James she Intermarried with a Certain William  
 Joseph late of the County aforesaid Gent now also Deceased between  
 whom in his life time and Roger Brooke Brother & heir at Law of  
 the said James it was agreed by Sufficient Deeds in Law that the said  
 William Joseph and she the said Elizabeth should remain in peaceable  
 possession of a Certain parcell of Land supposed by the meets and  
 bounds thereof to Contain three hundred and fifty acres with all  
 Improvements thereon being Parts of two Tracts of Land Called  
 Brooke point and Brookes reserve during the natural Life of the said  
 Elizabeth in Satisfaction of her Dower of all her said first hus-  
 bands lands and that by vertue of the said Agreement after the Death  
 of the said William Joseph she the said Elizabeth became solely  
 seized of the said three hundred & fifty Acres of Land in right of her  
 Dower as aforesaid and being so seized Afterwards Intermarried  
 with a Certain Edmond Major of the County aforesaid Merchant  
 by whom she had two Children That the said Edmond thro' Mis-  
 fortunes Occasioned by Decay of the Tobacco Trade became In-  
 volved in Unhappy Circumstances and thro' fear of Arrest by his  
 Creditors privately went to England leaving the said Elizabeth  
 intirely Destitute of means to maintain herself and the said Edmonds  
 two Children as af<sup>d</sup> as also four Others she had by the said William  
 Joseph her second husband and humbly Prayed that it might be  
 Enacted by this present Generall Assembly That notwithstanding  
 her Coverture and the absence of her said husband Edmond Major

she have power to lease for her life the said three hundred and fifty acres of Land to any person who shall agree with her for the same. Liber LL, 4  
Acts

And be it Enacted by the Right Honourable the Lord Proprietor by and with the Advice and Consent of his Lordships Governour and the Upper and lower houses of Assembly and the Authority of the same that the said Elizabeth Major wife of the said Edmond have hereby full power and authority to lease for her life to any person Capable to take such lease the Lands above mentioned Either for an Yearly Rent or for a Sum in Gross, And that the person so leasing or purchasing of her by Vertue of this Act have as good and Indefeazable an Estate in the same Lands as if the same Edmond Major had Actually Consented to and Joyned in making the same lease or Sale and that the aforesaid Lessee or Purchaser on any Action brought against him or her by the said Edmond for any Rent or Sum of Money or Tobacco pretended to be Due for or by reason of such Demise or Sale may plead the Generall Issue and give the Special Matter and this Act in Evidence And that thereupon such Court before whom such Action or Suit shall be Depending shall Judge & Determine in favour of the aforesaid lessee or purchaser And Adjudge to him or her Costs of suit any Law Usage Coverture of the said Elizabeth or absence of her the said husband or any Other Matter to the Contrary notwithstanding.

Provided Always and it is hereby Enacted by the Authority Advice and Consent af<sup>d</sup> that the money or Other Effects Arising by such Lease or Sale of the lands aforesaid be wholly Appropriated during the absence of the said Edmond towards the Support & Maintenance of her the said Elizabeth and her aforesaid Children And that the same Money or Other Effects be not any ways Subject to any Attachment Condemnation Judgment or Recovery by any Creditor of the said Edmond for Any Debt already or that may be hereafter created by him and that this Act pleaded in any Court within this Province be Sufficient to barr any person or persons of any such Claim Any Law Usage or any Other Matter to the Contrary notwithstanding. Saving to his most Sacred Majesty his heirs and Successors and to the Right Hon<sup>ble</sup> the Lord Proprietary his heirs and Successors And to all bodies Politick and Corporate and all Others not mentioned in this Act their Severall & respective Rights.

A Supplementary Act to An Act Intituled An Act Declaring the Rights of three Lotts Originally laid Out in Annapolis for the uses therein Mentioned.

Acts of  
Oct. 1723,  
ch. 14  
p. 596  
(Supple-  
ments 1718,  
ch. 8)

Whereas by An Act of Assembly Intituled An Act Declaring the Rights of three Lotts Originally laid Out in Annapolis for the uses therein mentioned It is Enacted that three Certain Lotts that is to say One Lott for the Reverend the Rector or Vicar or Lecturer of

Liber LL, 4 the Port of Annapolis One other for the Clerk of the Parish and  
 Acts Sexton for the Time being, And the Third for the Clerk of the Vestry  
 and M<sup>r</sup> Commissary's Clerk for the time being be and remain to the  
 severall uses as originally Designed in laying Out the said Lots  
 and According to an Ordinance of Assembly made April the ninth  
 Seventeen hundred & Six for ever as by the said Act of Assembly  
 Reference being thereto had may more fully Appear And Whereas  
 for want of proper Encouragement to Improve the said Lots they  
 became uselesse to the Rector of the Parish Contrary to the Intention  
 of the Act aforesaid It is Prayed that it may be Enacted.

And be it Enacted by the Right Honourable the Lord Proprietary  
 by and with the Advice and Consent of his Lordships Governour  
 And the upper and lower houses of Assembly and the Authority  
 of the same that for the future to Encourage such as will build upon  
 or Otherwise Improve the said Lots it shall and may be lawfull for  
 the Rector or Incumbent for the time being and he is by this Act  
 Impowered to Set or lease the said Lots or any part of the said Lots  
 for a Term of years not Exceeding the Term of Twenty one years  
 to such Person or Persons as shall be willing to build upon & Improve  
 the same. During which Term of years the Lessee or Lessees and  
 those Deriving under them shall have and Enjoy an Undisturbed  
 and Peaceable Possession of such Lots or Part of Lots without any  
 Let hindrance or Molestation whatsoever.

Provided nevertheless that if any future Incumbent of the Parish  
 aforesaid shall be Desirous to settle on or Improve the said Lots  
 or any part of them whereon the Lessee or Lessees have built or made  
 any Other Improvement it shall be lawfull for him so to do, he the  
 said Incumbent first Reimbursing the said Lessee or lessees all the  
 Charges and Expences they have been at in the Building upon or  
 Otherwise Improveing the same, And the said Lease shall then  
 become Void any thing in this Act to the Contrary notwithstanding.

Acts of An Act for the Releif of Thomas Turner of Charles County Gent,  
 Oct. 1723, Christopher Belrose, Thomas Cobb, John Gould, Thomas Beezly  
 ch. 22 and John Ferrell of Ann Arundell County, John Beldom, and  
 p. 608 John Hanly of Calvert County Joseph Gough of Queen Anns  
 County and John Clements of Dorchester County Languishing  
 Prisoners.

Whereas Thomas Turner of Charles County Christopher Belrose  
 Thomas Cobb John Gould Thomas Beezly and John Ferrell of Ann  
 Arundell County John Beldom and John Hanley of Calvert County  
 Joseph Gough of Queen Ann's County and John Clements of Dorches-  
 ter County have by their humble Petitions to this Present Generall  
 Assembly Severally set forth that they have Continued Prison-  
 ers for Debt in the Custody of the sheriffs of the Severall Countys



aforesaid Viz. the said Thomas Turner in the Custody of the Sheriff of Charles County, the said Christopher Belrose, Thomas Cobb, John Gould, Thomas Beezly John Ferrell and John Clements in the Custody of the Sheriff of Ann Arundell County the said John Beldom and John Hanley in the Custody of the Sheriff of Calvert County and the said Joseph Gough in the Custody of the sheriff of Queen Anns County for some Considerable time Past and still Continue in the like Deplorable Circumstances not being able to redeem their bodies with all the Estate or Interest they have in the World which they would readily surrender up and Part with to their Severall and respective Creditors if they would Accept of the same And Grant the said Petitioners their Liberty which seems so unlikely for them to obtain that unless relieved by a Particular Act to be past in their favour (which they by their said Petitions they have humbly prayed) they must Inevitably Continue Prisoners for Life and thereby their familys Utterly ruined and for that the truth of the said Petitioners Allegations is made Appear to this Generall Assembly by Sufficient Testimony And for that the Said Petitioners and their families are fit Objects of Charity and that lying in Goal Can be no Benefit to their Creditors It is humbly Prayed that the said Petitioners may be relieved according to their Prayer And that it may be Enacted.

And be it Enacted by the Right Honourable the Lord Proprietor by and with the Advice and Consent of his Lordship's Governour And the Upper and lower houses of Assembly and the Authority of the same that unless all or any of the Creditors of the said Thomas Turner Christopher Belrose Thomas Cobb John Gould Thomas Beezly John Ferrell John Clements John Hanley John Beldom and Joseph Gough or the Creditor or Creditors of any or Either of them or the Attorney or Attorneys of such Creditor or Creditors or any or Either of such Creditor or Creditors or any or Either of them aforesaid within this Province within Twenty Days after the End of this Sessions of Assembly go to the Sheriffs of the Severall Counties of Charles, Ann Arundell Calvert Dorchester or Queen Anns And Give good Security to pay the Imprisonment fees at Ten pounds of Tobacco per Day that shall or may become Due from the said Thomas Turner Christopher Belrose Thomas Cobb John Gould Thomas Beezly John Ferrell John Clements John Hanley John Beldom and Joseph Gough after the End of the said Twenty Days and also to find the said Thomas Turner Christopher Belrose Thomas Cobb, John Gould, Thomas Beezly John Ferrell John Clements, John Hanley, John Beldom and Joseph Gough Sufficient Meat Drink and Cloathing During their future Imprisonment in Case they or Any of them the said Thomas Turner Christopher Belrose Thomas Cobb John Gould Thomas Beezly John Ferrell John Clements John Hanley John Beldom and Joseph Gough shall Deliver up and Surrender or

Liber LL, 4  
Acts

p. 609

Liber LL, 4 Cause to be Delivered up and Surrendred to the Sheriff of Charles  
 Acts Ann Arundell Calvert Queen Anns or Dorchester Countys aforesaid  
 in the Presence of two Justices of the Peace in Each of the said  
 Counties, whom the said Sheriffs are hereby required to summon on  
 the request of the said Thomas Turner Christopher Belrose Thomas  
 Cobb John Gould Thomas Beezly John Ferrell John Clements John  
 Hanley John Beldom and Joseph Gough or any of them at the Dwell-  
 ing Plantations or Places of abode of the said Thomas Turner  
 Christopher Belrose Thomas Cobb John Gould Thomas Beezly John  
 Ferrell John Clements John Hanley John Beldam and Joseph Gough  
 or any of them at some Convenient Time between the Tenth Day of  
 November next and the Twenty fifth Day thereof all their real and  
 personall Estate Either in Possession reversion remainder or in  
 Trust or in or unto which they have or any or Either of them hath  
 any Claim or Interest whatsoever and Do likewise betwixt the Days  
 aforementioned Convey Assign Transferr and make Over unto the  
 said sheriffs of Charles Ann Arundell Calvert Queen Ann's or Dor-  
 chester Countys for the use of their said Creditors all such their  
 Estate Interest or Claim as aforesaid after such Manner as by the said  
 Sheriffs and the Major Part of the said Creditors or of such of them  
 as shall think fitt to Direct therein or their Council learned in the  
 law shall reasonably Devise or require at the Cost and Charges of  
 such Persons as shall Claim the Benefitt thereof so as the said  
 p. 610 Thomas Turner Christopher Belrose Thomas Cobb John Gould  
 Thomas Beezly John Farrell John Clements John Hanley John Bel-  
 dom and Joseph Gough be not burthened with any warrantys thereby  
 Other then from themselves and those that Claim by from or under  
 them and that the said Thomas Turner Christopher Belrose Thomas  
 Cobb John Gould Thomas Beezly John Farrell John Clements John  
 Hanley John Beldom and Joseph Gough and Every One of them at  
 the time of such their Surrender and Transferring their Estates as  
 aforesaid shall take his or their Solemn Oath or Oaths or Test before  
 the said Two Justices of the severall and respective Countys afore-  
 said so to be summoned as aforesaid to the Effect following Viz.  
 "I A B Do Solemnly Swear that the Goods Debts and Effects which  
 I have Delivered Assigned and made over to the Sheriff of  
 County and in Trust for the use of my Creditors is the whole Estate  
 both real and personal of my Own in Possession or have any Title  
 to in the world and that I have not any Estate Goods or Effects of  
 any kind whatsoever left Either in Possession reversion or remain-  
 der (the Necessary wearing Apparrell for my self wife and Children  
 Excepted) and that I have not Directly or Indirectly sold leased or  
 Otherwise Conveyed Disposed of or Intrusted all or Any part of my  
 Estate thereby to Secure the Same to receive or Expect any Profit  
 or Advantage thereof So help me God."

It shall and may be lawfull for the Sheriffs of the Severall and respective Counties of Charles, Ann Arundell Calvert Queen Anns and Dorchester aforesaid after the End of the said Twenty Days and the said Sheriffs are hereby required to Discharge the said Thomas Turner Christopher Belrose Thomas Cobb John Gould Thomas Beezly John Farrell John Clements John Hanley John Beldom and Joseph Gough Out of Custody and to Suffer them to go at large. And be it further Enacted by the Authority Advice and Consent aforesaid that upon the said Thomas Turner Christopher Belrose Thomas Cobb John Gould Thomas Beezly John Ferrell John Clements John Hanley John Beldom and Joseph Gough their Complying with what is required of them by this Act that they the Said Thomas Turner Christopher Belrose Thomas Cobb John Gould Thomas Beezly John Farrell John Clements John Hanley John Beldom and Joseph Gough and Every of them their and Every of their heirs Executors and Administrators shall be by Vertue of this Act Acquitted Exonerated released and Discharged of and from all manner of Debts Duties Claims and Demands whatsoever that have been severally Contracted by them or have Arose Due or become Demandable from them at Any time before the sitting of this Present Generall Assembly And that in Case the said Thomas Cobb John Gould Thomas Beezly John Farrell John Clements John Hanley John Beldom and Joseph Gough or Either of them shall after such their Compliance and Discharge as aforesaid be Arrested or sued for any such their Debts or Duties as aforesaid or that the said Sheriffs shall be sued for any Matter or thing required of them or Either of them to be Done by this Act that then the said Thomas Turner Christopher Belrose Thomas Cobb, John Gould, Thomas Beezly, John Farrell, John Clements John Hanley John Beldom and Joseph Gough or the said Sheriffs or Either of them whom it may Concern may Enter a Comon Appearance without Special Bail to any such Action or Accōns as shall be brought against them Any or Either of them, And plead thereto the Generall Issue and Give this Act or the Exemplification thereof with the Special Matter thereon Arising in Evidence and that in Case the Plaintiff or Plaintiffs Commencing and bringing such Action or Actions as aforesaid shall be nonsuit the Defendant or Defendants shall recover against him or them Double Costs of Suit any Law Statute Usege or Custom to the Contrary notwithstanding

Liber LL, 4  
Acts

p. 611

And be it further Enacted by the Authority Advice and Consent aforesaid that the sheriffs of the severall and Respective Counties aforesaid and Every of them shall after such Surrender and Delivery up as aforesaid give publick notice at the Churches, Court houses and Mills within the said Counties of some Precise Time by them the said sheriffs and the said two Justices to be Appointed for the Distribution of the Effects of the Said Thomas Turner Christopher

Liber LL, 4 Belrose Thomas Cobb John Gould Thomas Beezley John Farrell  
 Acts John Clements John Hanley John Beldom and Joseph Gough not less than twenty Days after the time of the makeing of the said Surrender and shall then and there in the Presence of two Justices as aforesaid as by their Advice and Directions make Distribution of the Estate or Estates of the said Thomas Turner Christopher Belrose Thomas Cobb John Gould Thomas Beezly John Farrell John Clements John Hanley John Beldom and Joseph Gough as of the Estate or Estates of Any or Either of them so as aforesaid to be surrendred Delivered up or Transferred amongst such of their said Creditors only as shall then by themselves or their Attorney or Attorneys think fitt to be present at such Distribution by an Equal and proportionable Distribution thereof to every such Creditor with respect had and in Proportion to the largeness of his or her Debt the proceedings of the said Justices and Sheriffs in that behalf to be Certifyed to the Courts of the severall Countys af<sup>d</sup> and there lodged for the perusal of any of the Creditors of the severall Debtors aforesaid that shall require the same And without any fee to be paid thereon or for such Lodging thereof saving the Right of the Right Honourable the Lord Proprietary his heirs and Successors and of all bodies Politick and Corporate.

Provided nevertheless that in Case the said Thomas Turner Christopher Belrose Thomas Cobb John Gould Thomas Beezly John Farrell John Clements John Hanley John Beldom and Joseph Gough or Either of them shall at any time after the makeing such his or their Oath or Oaths or Takeing such Test aforesaid be Convict of Wilfull and Corrupt Perjury thereupon or of a wilfull breach or non Compliance with the Tenor of such Oath or Test that then the said Thomas Turner Christopher Belrose Thomas Cobb John Gould Thomas Beezly John Farrell John Clements John Hanley John Beldom and Joseph Gough or such or so many of them as shall be Convict as aforesaid shall upon such Conviction be Adjudged to stand two hours in the pillory and have his or their left Ear Cut off and shall be wholly Deprived of any benefits Designed them or Either of them by this Law and shall be from thenceforth lyable to be prosecuted for any Debts or Demands whatsoever in the same manner as if this Act had never been made Any thing therein Contained to the Contrary Notwithstanding. And forasmuch as John Clements of Dorchester County One of the languishing Prisoners before mentioned lies now in the Gaol of Annapolis in the Custody of the Sheriff of Ann Arundell County, And by that means (whilst he so remains) rendred incapable of Complying with the matters and things required of him by this Act.

. Be it therefore Enacted that the sheriff of Ann Arundell County be and is hereby required Immediately to remand and Deliver the Body of the aforementioned John Clements into the Custody of John



Orrell Gentleman Sheriff of Dorchester County who is hereby Im-  
 powered and required together with Mess<sup>rs</sup> John Hodson Saunders  
 Henry Hooper Mathew Traverse and Edward Pritchett or any two of  
 them as Commissioners to put this Act as far as it relates to the af<sup>d</sup>  
 John Clements in Execution Anything therein to the Contrary not-  
 withstanding

Liber LL, 4  
 Acts

An Act for the Payment and Assessment of the Publick Charge of  
 this Province for this Present year One Thousand Seven hun-  
 dred and Twenty three and for Confirming the Journal of the  
 Levy in the Year One Thousand Seven hundred and Twenty two.

Acts of  
 Oct. 1723,  
 ch. 25  
 p. 615

Whereas there hath been Five hundred Thousand and thirty one  
 Pounds of Tobacco and One hundred and Eighty Six Pounds  
 Eighteen shillings and Six Pence in money laid Out and Expended  
 for for the Publick Charge of this Province to the fifteenth Day of  
 October in the Year of Our Lord One thousand seven hundred and  
 Twenty three to the Intent the same may be Satisfied and paid to  
 whom the same is Due as by the Journalls of the Comittee for laying  
 the Publick Levy And Lists of Payments thereto annexed Appears  
 Be it Enacted by the Right Honourable the Lord Proprietor by and  
 with the Advice and Consent of his Lordships Governour and the  
 Upper and lower houses of Assembly and the Authority of the same  
 that the said Sum of One hundred and Eighty Six Pounds Eighteen  
 shillings and Six Pence Money aforesaid be Satisfied and paid to  
 whom the same is Due Out of the Publick Stock of Money lodged  
 in the Treasurers hands of this Province and that the Tobacco now  
 raised and to be lodged in the hands of the Severall sheriffs of this  
 Province be Applied and a Levy of Equal Assessment of Twenty  
 One Pounds of Tobacco p Poll be by Vertue of this Act levyed and  
 Assessed upon the bodys and Estates of the Taxable Inhabitants of  
 this Province And paid to the Severall persons to whom it is Due  
 According to the Journal of Accounts and Disbursements for the  
 necessary Charges of this Province which have been Examined and  
 now Stated and Allowed of by this Present Generall Assembly And  
 be it likewise Enacted that the Sum of four hundred ninety five  
 Pounds fourteen Shillings and One Penny Current Money Drawn  
 out of the Publick Treasurer's hands and the Quantity of five hundred  
 ninety seven thousand three hundred and twenty four pounds of  
 Tobacco levyed by One Equal Assessment upon the Taxable persons  
 within this Province in the year Seventeen hundred and twenty two  
 and paid to the Several persons mentioned in the list Annexed to the  
 Journall of the Committee for assessing and Apportioning the  
 Publick Levey be and are hereby Confirmed and Declared to be  
 Good and Valid to All Intents and Purposes as if an Act had then  
 passed for the same.

p. 616

Liber LL. 4 An Act for the Vesting and Settling An Estate of Inheritance in fee  
 Acts Simple of and in a certain parcell or Lott of ground in the City  
 Acts of Annapolis Containing one hundred and twenty feet in Length  
 Oct. 1723, formerly by An Act of Assembly of this Province Confirmed to  
 ch. 26 Robert Johnson of Ann Arundell County Ship Carpenter decēd on  
 Robert Gordon of the City of Annapolis Merchant as also for  
 Vesting and Settling an Estate of Inheritance in fee Simple of  
 and in a Certain Sand Bank that Intersects a tenement of Land  
 Possest by the said Robert Gordon and the Creek on the said  
 Robert Gordon and his heirs and Assignes for ever.

Whereas Francis Nicholson Esquire late Governour of this Province haveing given a certain parcell or Lott of ground to the use of such Ship Carpenters as would Inhabit thereon and follow their Trades within this Province.

And Whereas the said Robert Johnson haveing formerly Petitioned the Assembly of this Province that a part of the said Lott of ground might be Confirmed to him the said Robert Johnson his heirs and Assignes by an Act to be past in his favour he haveing set forth in his Petition that he would build a Dwelling house and Ship Yard  
 p. 617 on the same And Whereas at a Sessions of Assembly held at the City of Annapolis on the sixth day of June Anno Domini Seventeen hundred and nineteen An Act of Assembly past in favour of the said Robert Johnson that he the said Robert Johnson his heirs and Assignes should be Vested in a good Sure Indefeazable Estate of Inheritance in fee Simple of and into the Quantity of one hundred and twenty feet of Land at the Upper end of the said Lott with the whole Breadth thereof Under the following Provisoe that if the said Robert Johnson his heirs or assignes should apply the s<sup>d</sup> part of the Lott of ground aforesaid to any other use than that of a Ship Carpenters Yard (Except necessary buildings for the Service and also fail to pay the Corporation of the City of Annapolis five shill<sup>s</sup> Currant money annually for the ground Rent thereof within two months after reasonable request made and shall also neglect to carry on the business of a Ship Wright for the Space of twelve months Together and pay the Proprietary the Proportionable part of the Assessment thereon that then it shall and may be Lawfull to and for the said Corporation into the said parcell or Lott of ground to re-enter and the same to Possess in as full and Ample manner to all intents and purposes as if the said Act had not past.

And Whereas the said Robert Gordon haveing petitioned this present Generall Assembly setting forth that the said Robert Johnson had the aforesaid quantity of ground mentioned in the aforerecited Act laid out for him and had built two small houses thereon That the said Robert Johnson hath been dead for upwards of fifteen months past And that the Representatives of the s<sup>d</sup> Robert Johnson since his death had Sold & removed one of the s<sup>d</sup> houses from off the

freehold and that the Conditions of the said Act of Assembly had not been Complied with. Liber LL, 4  
Acts

Whereas Likewise it Appears to this present Generall Assembly that the said Robert Gordon hath made the s<sup>d</sup> Johnsons Widow Compensation for what Expen<sup>ce</sup> the s<sup>d</sup> Johnson was at in the Improvement made by him on the s<sup>d</sup> ground & that she hath relinquished her right in favour of the s<sup>d</sup> Robert Gordon & that the Conditions af<sup>d</sup> were not Complied with.

As Also for that the s<sup>d</sup> Robert Gordon is possest of a tenement of Land Contiguous & Bounding with the said parcell of Land laid out for the s<sup>d</sup> Robert Johnson deced And therefore that the af<sup>d</sup> one hundred & twenty feet of ground might be Confirmed to him the s<sup>d</sup> Robert Gordon his heirs and Assignes for ever by An Act to be past in his favour haveing Set forth in his petition that he would build a dwelling house & Ship Yard on the same.

Be it Therefore Enacted By his Lordship The Right Honourable the Lord Prop<sup>ty</sup> By and with the Advice & Consent of his Lordships Governour & the Upper & Lower houses of Assembly of this Province & the Authority of the same that the same Robert Gordon his heirs & Assignes for ever shall be & they hereby are Vested in a good Sure Indefeazable Estate of Inheritance in fee Simple of in & unto the afores<sup>d</sup> Quantity of one hundred & twenty feet of Land in length along Prince Georges Street at the Upper end of the said Lott with the whole Breadth thereof with the Creek any Law Custom or Usage to the Contrary Notwithstanding. Provided always that if the said Robert Gordon his heirs or Assignes shall apply the said parcell of the Lott of ground af<sup>d</sup> to any other use then that of a Ship Carpenters Yard (Except necessary buildings for that Service) and shall Neglect to carry on the business of a Ship Wright for the Space of twelve months Together and pay the Proprietor the proportionable part of the Assessment thereon & also pay to the Corporation of Annapolis five Shill<sup>s</sup> Curr<sup>t</sup> money Annually for the ground rent thereof within two months after reasonable request made that then it shall & may be Lawfull for the s<sup>d</sup> Corporation into the afores<sup>d</sup> parcell or Lot of ground to reenter. p. 618

And Whereas Likewise the said Robert Gordon by his Petition haveing set forth that there is a Sand Bank that intersects a tenement of Land of his & the Creek Between the Bounded Poplar tree Standing on the North East side of Nicholson Cove & another Poplar tree standing on the South side of s<sup>d</sup> Cove that the same Bank lyes without the lines of the s<sup>d</sup> Nicholsons Cove within the Water Mark & not included within any Lot of the City which with Industry and pains can admitt of some Improvements for a Landing for himself & for the s<sup>d</sup> Good of the Publick and that the same might be Confirmed to him and his heirs and Assignes for ever By an Act of Assembly to be past in his favour.

Liber LL, 4      Be it therefore Enacted By his Lordship the Right Honourable the  
 Acts      Lord Proprietary by & with the advice & Consent of his Lordships  
 Governour & the Upper & Lower houses of Assembly of this Province and the Authority of the same that the said Robert Gordon and his heirs and Assignes forever shall be and they hereby are Vested in a good Sure Indefeazable Estate of Inheritance in fee simple of in and unto the af<sup>d</sup> Sand Bank lying between the afores<sup>d</sup> two poplar trees lying without the s<sup>d</sup> Nicholsons Cove & within the water Mark and not included within the Lotts of the Corporation of the City of Annapolis af<sup>d</sup> any Law Custome or Usage heretofore had made or used within this Province to the Contrary Notwithstanding Provided always and it is hereby Enacted that the s<sup>d</sup> Robert Gordon's Improving the said Sand Bank or any part thereof shall in no ways prejudice or obstruct a publick landing at that place or prejudice any of the Contiguous Lotts thereto. Saving To his most Sacred Majesty his heirs and Successors and To the Right Honourable the Lord Proprietary his heirs and Successors & to all Bodies Politick & Corporate & all others not mentioned in this Act their Severall and Respective Rights.

Liber LL, 5      An Act to Prohibit the Exportation of Indian Corne for the Time  
 Acts      therein Limited To Suspend the Execution of An Act Entituled  
 Acts of 1724      An Act Prohibiting the Importation of Bread Beer Flower Malt  
 ch. 1      Wheat or Other Indian or English Grain or Meal. Horses Mares  
 p. 1      Colts or Filleys from Pensilvania and the Territories thereunto  
 (Expired      belonging.  
 1725)  
 [Other Acts      of this

Session are      Whereas it is Apparent to this Assembly that there is so great a  
 printed in      Scarcity of Indian Corne in most Parts of the Countrey that Unless  
 Vols. 35 and      the Exportation thereof be Prohibited for Some time the People  
 36 of the      are in great Danger of being reduced to the Miserable Circumstance  
 Archives]      of Wanting Bread For Prevention whereof Be it Enacted by the  
 Right Honourable the Lord Proprietor by and with the Advice and  
 Consent of his Lordships Governor and the Upper and lower houses  
 of Assembly And the Authority of the Same that no Indian Corne  
 shall be Exported or Carried out of this Province by Land or  
 Water after the last Day of this Instant October untill the last Day  
 of October which shall be in the Year One thousand Seven hundred  
 and twenty five upon the Pains and Penalties hereafter mentioned  
 (that is to Say) that the Master of any Ship or Vessell or Any Other  
 person that shall lade or take on Board of any Ship or Other Vessell  
 with design to Export the same or Export or Cause to be Exported  
 any Indian Corne Out of the Province by Land or Water within the  
 time aforesaid shall forfeit for Every Bushell the Sum of Eight  
 shillings One half thereof to the use and Support of ffreeschools  
 in the Countys where the Offence shall be Comitted the Other Half  
 to the Informer or him that will Sue for the Same to be recovered by



Action of Debt Bill Plaint or Information wherein no Essoyn Protection or Wager of Law shall be Allowed And Be it Enacted that if Any Person or Persons after the said Last Day of this Instant October Untill the last day of October One thousand Seven hundred twenty and five aforesaid shall Presume to Carry or Convey by Land or Water Any Indian Corne on board of any Vessell or to Any Place in Order to be transported out of this Province that the Owners of such Corne shall forfeit the Same together with Every Sloop Shallop Boat or Other Small Vessell on board of which such Indian Corne shall be laden And All Horses Oxen or Other Draught Beasts and Carts and Other Carriages that shall be used in the Carriage of such Indian Corne on board of Any Vessell or to any Place in Order to be Carried or Exported Out of this Province. And the Sum of ffive shillings for every Bushell thereof The Penalty to be recovered as aforesaid to the uses aforesaid And that it shall and may be lawfull for the Informer to Seize any such Sloop Shallop Boat or Other Small Vessell and all Horses Oxen or other Draught Beasts Carts and Other Carriages And for any two Justices of the County where such Seizure shall be made to Condemn such Sloops Shallops Boats and Other Small Vessells Horses Oxen Carts or Other Carriages that shall be seized to the uses and Purposes aforesaid And all Justices sheriffs and Other Officers are by this Act required to Aid and Assist All Persons Makeing Such Seizures Provided always that when Any Dispute shall Arise Concerning the Intention of Exporting such Indian Corne out of the Province Contrary to this Act that the Onus Probandi shall lye on the Defendant And for the better Execution of this Act Be it further Enacted that the Severall Justices of the Peace within this Province in their respective County Courts Any time within One year after the said last Day of October Instant shall have full Power and Authority to Enquire by the Oaths of good and lawfull men of their Counties of and to Examine the Severall Offenders against this Act And to hear and Determine All the breeches thereof as they May or Ought to hear other trespasses and Offences Provided always that nothing in this Act shall Extend or be Construed to Extend to Prohibit the Exportation of Any Indian Corne out of this Province that is or shall be Actually laden on Board Any ship or Vessell before the end of this Session of Assembly And Provided Also that [neither] this Act nor Any thing therein Contained shall Extend or be Construed to Extend to Prohibit any Master of a ship or Other Vessell bound for Great Brittain or Else where by Sea to Export so much Indian Corne as may be Absolutely necessary to Support and feed their Stock of fresh provision not Exceeding two Bushells for every One of a Ship or Vessells Crew bound to Great Brittain or Else where by Sea be it further Enacted by the Authority aforesaid that the Execution of one Act of Assembly of this Province Entituled An Act prohibiting the Importa-

Liber LL, 5  
Acts

p. 2

Liber LL, 5 Acts tion of Bread, Beer, Flower Malt Wheat or other Indian or English Grain or Meal Horses Mares Colts or fillies from Pennsylvania and the Territories thereunto belonging so far as it Prohibits the Importation of Bread Flower or Grain of any kind shall be and is hereby Suspended Untill the last Day of June next Ensueing Provided that any Prosecutions that shall be begun during the Continuance of this Act for Any breach thereof shall and may be prosecuted to finall End and Judgment And that it shall and may be lawfull for the Courts before whom such Suits shall be Depending to Proceed to Judgment and to Award Execution Although the time limited to Prohibit the Exportation of Corn should Expire before the Determination of such Suit such Expiration or any Law Useage or Custom to the Contrary Notwithstanding.

And be it Enacted by the Authority aforesaid that it shall and May be lawfull for Any Officer of the Customs Justice of the Peace Sheriff or Constable And the said Officers and Every of them are and is required upon Application made to any of them to go on  
p. 3 Board of and search any Ship or Other Vessell Suspected to have Indian Corn on board in Order to be Exported Contrary to the Tenour of this Act and to Seize all the Corn that shall be found on board to the uses and Purposes aforesaid.

Acts of 1724, ch. 2 An Act for the Releif of such Persons as have been Convicted of Any Breach of the Acts of Assembly for Preventing the Making of Trashy Tobacco and for the Bettering the Staple of this Province and the Explanatory Act thereof unheard or have Suffered by the Misconstruction of the said Laws.

Whereas Several of the Inhabitants of this Province have Complaind that they have been Convicted by Several Justices of the Peace of Several Breaches of the Acts of Assembly aforesaid And Executions Awarded against them for the Penalties without Ever being heard in their Own Defence which is a method of Proceeding Inconsistent with the true Intent and Meaning of the said Laws. It being the Undoubted Right of every British Subject (Even the most Guilty) that will Submitt to the Law to be heard in his own defence And Others that have been greatly Prejudiced by the Misconstruction of the said Acts. Be it therefore Enacted by the Right Honourable the Lord Proprietor by and with the Advice and Consent of his Lordship's Governour and the Upper and Lower Houses of Assembly and the Authority of the same That it shall and may be lawfull for the Justices of the Peace within this Province at their respective County Courts where the facts Arose in a Summary way or in a formall way according to the Course of the Comon Law in Other Cases at the Discretion of the Party Convicted to try to hear and determine All Judgments and Convictions that have been against Any Person or Persons for any breach or breaches of the said Acts of

Assembly where the Party Convicted was not heard in his Own Defence by the Justice that determined the fact And to Affirm or reverse such Judgment or Conviction according to the very Right of the Case And to Award Restitution and Execution on the Reversall or Affirmation of Any former Judgment or Conviction Any thing in the said Acts or any Other Law Judgment or Other Matter or thing to the Contrary Notwithstanding. Liber LL, 5  
Acts

And Whereas Severall Persons have lately that is to say since the last day of June last Past been Convict of Severall Breaches of the said Laws and their persons or Goods taken in Execution and Executions awarded against the Persons and Goods of Others thō not yet Executed And that it would be very Prejudicial to such of them as have been Illegally Convict to Lye in Goal or have their Goods kept from them Be it therefore Enacted by the Authority aforesaid by and with the Advice and Consent aforesaid that where any person is in Prison on Any such Conviction such Person shall be forthwith discharged Out of Custody and where the Goods of Any Persons are taken in Execution and remain in the sheriffs Custody that they shall be Immediately delivered to the Person whose Goods they were before Execution the Parties in Either Case giving good security to render his Body to Prison or to Pay the sum he is in Prison for or deliver the Value of the Goods Executed in Case the Judgment of the Justice of the Peace shall not be reversed by the County Court And that where Executions are awarded but not Executed whether they be against Person or Goods that all such Executions shall be Superseeded untill the County Courts shall hear and Determine the matter as aforesaid. p. 4

Provided that all Persons that shall neglect or refuse to Apply to their respective County Courts next November or March Courts shall not have any Benefit or Advantage of this Act Any thing therein Contained to the Contrary Notwithstanding. And be it further Enacted that the Expiration of the said Laws shall not hinder or Impede the County Courts to Proceed in the Determination of Any former Judgment or Conviction or in Awarding Restitution and Execution According to the very Right of the Case the Expiration of the said Laws or any other Cause or Matter to the Contrary Notwithstanding.

An Act to Cut off the Entaile of a Certain Tract of Land Called Billingsley's Point, And to Enable John Jordan to make Sale of the Same Acts of 1724,  
ch. 3

Whereas George Billingsley late of the Colony of Virginia deceased was Seized in ffee of a Tract of Land Called Billingsley's Point lying in Prince Georges County in the Province of Maryland And by his last Will and Testament bearing Date the twenty first Day of December Anno Domini One thousand Six hundred and p. 5

Liber LL, 5  
Acts Eighty One Devised the Same unto Margaret his Sister formerly Margaret Burgh by the name of his Sister Margaret in these Words, Item I Do give and bequeath And it is my Will and Desire to give unto my Sister Margaret a Parcell of Land Lying and Scituate in Patuxent River in Maryland And Comonly Called by the name of Billingsley Point Five Hundred Acres Parcell of a Patent of Seven hundred Acres And the Same for to hold and Enjoy in Manner and wise As my Other two Sisters Above And that in Case that she Dye without Heirs begotten of her Body that then the said Five hundred Acres to Revert unto my said two Sisters as Above the Same to be Equally Divided betwixt them and their Heirs to hold as aforesaid And it is my will and desire that when Any of my said Sisters do fail in Body of Heirs of their Body the longest Liver and her heirs to Enjoy all my said Lands as above Exprest And Whereas Also the said Margaret Conceiving her self to have a ffee Simple in the Said Lands haveing had Issue And liveing in Virginia very remote from the Land aforesaid About thirty odd years Since Agreed to Sell the Same unto a Certain Thomas Hollyday late of Prince Georges County aforesaid deceased and bound herself in a Considerable Penalty to Convey the said Lands to the said Hollyday in ffee Simple And Whereas Also the said Margaret Jordan being very Ancient and a Widdow And the next Heirs of her the said Margaret Jordan (to wit) John Jordan the Only Son of the said Margaret, Martha Whitfield Daughter of the said Margaret and Elizabeth Jordan One Other of the daughters of the said Margaret are very Desirous to have the said Land Conveyed in ffee Simple to the devisee of the said Thomas Hollyday rather than to Suffer Any Suit upon the Bond af<sup>d</sup> As Also to fullfill the Agreement aforesaid And by their Humble Petition have Signified the Same to this present Generall Assembly And Also requested the Same Generall Assembly to Invest the said John Jordan Only Son of the said Margaret with a ffee Simple Estate in the Said Five hundred Acres of Land with the Appurtenances as Also to Impower him to make an Absolute Conveyance unto the said James Hollyday Son and devisee of the said Thomas Hollyday According to the Covenant and Agreement aforesaid And whereas Also the said John Jordan has Entered into a Bond of two hundred and Forty Pounds Sterling to the said James Hollyday with Condition to Make Over to the Said James Hollyday Such Estate as the said James shall require in the Said Five hundred Acres of Land with the Appurtenances And Whereas also the Said Margaret Jordan John Jordan Martha Whitfield and Elizabeth Jordan further Set forth by their humble Petition aforesaid that the fforfeiture of the Penalties aforesaid would be much greater than Any Benefit they Can propose to Reap from the said Five hundred Acres of Land aforesaid or Enjoyment of the Same And whereas Also Thomas Jordan and Elizabeth his wife and Mourning Pettus



the Other two Sisters of the said George Billingsley mentioned in his will aforesaid by their deed of Release bearing Date the Eighth Day of August Anno Domini Sixteen hundred and Eighty Seven for the Consideration therein mentioned did give grant Bargain Sell and Confirm unto the aforesaid Thomas Hollyday and his Heirs All their Remainder and Reversion of the aforesaid Five hundred Acres of Land And All and Every of their Right Title Interest and demand which they or Any of them had or thereafter should have to the Five hundred Acres of Land Scituate lying and being as aforesaid Called Billingsleys Point And forasmuch as the Truth of the Premises Sufficiently Appears to this Present General Assembly It is therefore humbly Prayed that it may be Enacted And be it Enacted by the Right Honourable the Lord Proprietor by and with the Advice and Consent of his Lordships Governour And the Upper and Lower Houses of Assembly and the Authority of the Same that the said John Jordan be and is hereby Invested with a ffee Simple Estate in the said Five hundred Acres of Land with the Appurtenances Called Billingsleys Point Scituate and being on Patuxent River in Prince Georges County aforesaid And that the said John Jordan have full Power and Authority to Convey an Estate in ffee Simple to the said James Hollyday Pursuant to the Agreements aforesaid And that the Same be Effectual to Barr any the Heirs of the Said George Billingsley from haveing or pretending to have any Estate Right Title or Interest of in or to the aforesaid Land and Premises for Ever hereafter Notwithstanding the Said will or Any thing therein Contained to the Contrary And that the said Entaile be Entirely void as to the Land aforesaid Saving to his Sacred Majesty his heirs and Successors And to the Right Honourable the Lord Proprietary his heirs and Successors And all Bodies Politick and Corporate and All Others not mentioned in this Act their Several and respective Rights.

Liber LL, 5  
Acts

p. 6

An Act Investing an Estate of Inheritance in ffee Simple of a Tract of Land Called Little Bohemia or Bohemia Middle Neck in Ephraim Augustine Herman of Cecill County Gent and his heirs for Ever And to Cutt off the Entaile thereof And to make good and Valid Any Sale thereof to be made by the said Herman or his heirs aforesaid.

Acts of 1724,  
ch. 4

Whereas Augustine Herman of Cecil County Gent. deced. Grandfather of the said Ephraim Augustine Herman was Seized in ffee Simple of two Tracts of Land Lying in Cecil County aforesaid the One Called Great Bohemia Mannor and the Other Called Little Bohemia or Bohemia Middle Neck by his last Will and Testament in writing bearing date the 27<sup>th</sup> day of September Anno Domini 1684 Entailed the Said two tracts of Land on the Sons of him the said Augustine to witt on Ephraim Augustine Herman Great Bohemia Mannor and on Casparus Herman little Bohemia or Bohemia Middle

p. 7

Liber LL, 5 Neck as by the said will Recorded in the Office for Probat of Wills  
 Acts may Appear That Soon after the said Augustine the devisor Dyed  
 and his son Ephraim Augustine dyed without Issue of his Body  
 lawfully begotten by means whereof the said Great Bohemia Man-  
 nour Descended unto the said Casparus Herman Father to the said  
 Ephraim Augustine Herman and Since the death of the s<sup>d</sup> Casparus  
 the Same has descended to the said Ephraim Augustine his only Son  
 and heir at Law And the Only heire at Law of the said Augustine the  
 devisor And Whereas Also there has of late Years happened Severall  
 Law Suits in relation to the Bounds of said two tracts of Land Sev-  
 eral People pretending Titles thereto by later and Other Surveys in  
 defence of which Lands the said Ephraim Augustine Herman has  
 been at a great deal of trouble And Obligated to Expend great Sums  
 of Money and Tobacco to the very great Impoverishment of his Own  
 Estate And whereas Also there is now a suit depending in the  
 Provincial Court Concerning the great Bohemia Mannor which is  
 pretended to Affect a greater and more Valuable Part thereof then the  
 whole Little Bohemia which is now deemed Only to Contain but  
 about twelve hundred Acres or thereabouts is worth And fforas-  
 much as the truth of the Premises Sufficiently Appears to this present  
 Generall Assembly And Whereas likewise the Other Representatives  
 of the Said Casparus decēd have had notice thereof And to the End  
 that the Said Ephraim Augustine Herman may be Enabled to Sell  
 the Said Little Bohemia or Middle Neck for the Payment of his  
 disbursements laid Out and Expended in defence of the said Tracts  
 of Land And that the residue of the Purchase Money of the said  
 Little Bohemia or Middle Neck be Applied for the defence and Settle-  
 ment of the great Bohemia Mannor According to the Intent of the  
 devisor It is therefore Prayed that it may be Enacted And be it  
 Enacted by the Right Hon<sup>ble</sup> the Lord Proprietary by and with the  
 Advice and Consent of his Lordships Governour and the Upper and  
 lower houses of Assembly and the Authority of the same that the  
 said Ephraim Augustine Herman be hereby vested with an Absolute  
 Estate of Inheritance in ffee Simple to him and his heirs for Ever  
 in the said Little Bohemia or Bohemia Middle Neck And be hereby  
 Enabled to Convey an Absolute Estate of Inheritance in ffee Simple  
 thereof to Any Purchasor or Purchasors their heirs or Assigns And  
 that the same by vertue hereof be and remain an Absolute Estate of  
 Inheritance to the Purchasor or Purchasors thereof their Heirs or  
 Assigns in as full and Ample Manner as if the said Land had been  
 devised to him and his heirs for Ever by the will of the said Augustine  
 Herman the devisor without any Limitation of Estate therein Any-  
 p. 8 thing in the Said will or any Law Statute or Usage to the Contrary  
 notwithstanding Saving to the Right Hon<sup>ble</sup> the Lord Prop<sup>r</sup> his  
 heirs and Successors And all Bodies Politick and Corporate and all  
 others not mentioned in this Act their Severall and respective Rights.

An Act declareing what Estate Gabriel Parker and Ann his wife, John Abington and Mary his wife, William Hutcheson, and William Pile and Elizabeth his wife have in the Lands Severally devised to them by William Hutcheson Gentleman deced. Liber LL, 5  
Acts  
Acts of 1724,  
ch. 5

Whereas Gabriel Parker and Ann his wife John Abington and Mary his wife William Hutcheson, William Pile and Elizabeth his wife by their humble petition to his Excellency the Governour and the Upper and lower houses of this Present General Assembly have Set forth that William Hutcheson late of Prince George's County Gentleman decēd by his last will and Testament bearing date the thirteenth day of December Anno Dni Seventeen hundred and Eight devised Severall tracts and Parcells of Land to these Petitioners in manner as follows I give and devise to my daughter Ann Hutcheson and her heirs for Ever the Land Piscattaway fforrest about Seven hundred Acres As Also the Land Sang whare three hundred and fifty Acres And the Part of Jesmund I bought of Mark Hampton about two hundred and twenty Acres And my Part of ffriendship fifty Acres And All that Part of Hazzard from the Main Road to Piscattaway Creek where the Store House Stands as also thirty five Acres of Land Called Littleworth and the Land Called Strife lying upon Mattawoman in Partnership with Thomas Addison Estimate Eight hundred Acres the whole my Part four hundred (the which said Anne Hutcheson is Since Intermarried with Gabriel Parker One of the aforesaid Petitioners) I give and Devise to my Daughter Mary and her heirs for ever my half of the Land Whitehaven about p. 9  
Seven hundred and Sixty acres in partnership with Thomas Addison as Also my half of the Land Called Carlile About One hundred and Sixty Acres as Also my half of the Land Called Friendship in Partnership with the said Addison About Eight hundred and fifty Acres And One Tract Called the Vineyard about One hundred and fifty Acres and two thirds of the Land Called Saturdays work And One Tract Called Speedwell Adjoyning thereunto both on Henson's branch together with the Land Called Carick ffergus About One hundred and Eighty Acres together w<sup>th</sup> my half of the Mill that Stands thereon And my half of Want water thirty two acres in all (the which Mary is Since Intermarried with John Abington likewise One of the afores<sup>d</sup> Petitioners) I give and Devise unto my Son William the Land Called Rotterdam and five hundred and fifty acres And the Indian Town Six hundred Acres on Nanjemy Creek as Also my Part of Wheelers purchase bought of John Middleton and Hillory Ball and the land Joynt Interest Joyning thereon Lying on the South Side of Pamunkie Creek to him and his heirs for ever I give and devise to my daughter Elizabeth all the Land in Pamunkie Neck (Viz) Wheelers Adventure About Seventy Six Acres the Chance about two hundred and fifty Acres Carick about four hundred and Sixty Acres as Also the Hicory Hills four hundred and

Liber LL, 5 twenty one Acres as Also the Hogg pen Joyning thereto about two  
Acts hundred and twenty Acres And Another Tract on the North End  
thereof Joyning to the said Hiccorry Hills And the Land of Joshua  
Marshall about One hundred and Sixty Acres. As Also my half  
of two hundred and twenty Acres Called Friendship in Partnership  
with John Brook on Mattawoman to her and her heirs for Ever the  
which Elizabeth is since married with William Pile Also one of the  
Aforesaid Petitioners And further the aforesaid Petitioners haveing  
Also Set forth in their Petition that in the next Succeeding Para-  
graph of the afore recited will the Deceased William Hutcheson  
haveing by his said will Settled upon his Son John All his Estate  
lying in North Brittain made a Provision to Barr his Said son John  
from haveing Any Interest in Any of his Aforementioned Lands  
whilst any of his Children to whom they are Devised were living.  
The Tenour of which Paragraph follows in these words. And my  
will is that if any of my three Daughters die without lawfull Issue  
that the lands hereby given them or to my son William if he Die  
without Issue shall be Equally Divided Among the three Surviving,  
And if two dye to the Other two living And if three Dye All to the  
Other And that my Son John have no Interest in Any of my Lands  
in Maryland Except they all four dye without Issue I mean Such  
Lands as are herein devised as by the said will Reference being  
thereto had may more fully and at Large Appear And the Petitioners  
likewise in their Said Petition haveing set forth that they have been  
Advised that the before recited Paragraph of the deceaseds will may  
be Understood to Amount to an Entaile upon All the Lands devised  
as above to the Petitioners which they verily believe was never so  
Intended by the deceased which they Alledge in their said Petition  
may be very well gathered from the severall devises themselves to  
the Petitioners being all to them and their heirs for Ever And not  
Only so but it being Contrary to the Bent and Inclination of the  
Deceased's Mind the Intailing of any Lands which he has frequently  
Expressed in words when in Conversation with his friends And for-  
asmuch as the said Gabriel Parker and Anne his wife John Abington  
and Mary his wife William Hutcheson William Pile and Elizabeth  
his wife have made their Several Allegations mentioned as aforesaid  
Sufficiently Appear to this Generall Assembly by Undoubted Testi-  
mony And that as the said Petitioners by their Said Petition have  
Prayed An Act may Pass for their releif in the Premises aforesaid It  
is humbly Prayed that it may be Enacted and Declared And be it  
Enacted and Declared by the Right Honourable the Lord Proprietor  
by and with the Advice and Consent of his Lordships Governour and  
the Upper and lower Houses of Assembly and the Authority of the  
Same That the said Gabriel Parker and Anne his wife John Abing-  
ton & Mary his wife William Hutcheson William Pile and Elizabeth  
his wife have and may by Vertue of this Act hold & Enjoy the Same



Estate in All those Lands severally devised to them by the said deceased William Hutcheson by the four several recited paragraphs of his will in as full and Ample manner to All Intents and Purposes as they might or Could have done if that before recited paragraph in the said will Barring his son John from haveing any Interest in Any of his Lands in Maryland devised as aforesaid had never been made and Inserted therein Any thing in the said Paragraph that may Seem to the Contrary in Anywise notwithstanding Saving to his Lordship the Lord Proprietor and all Bodies politick and Corporate and all Others not mentioned in this Act their Several and respective Rights.

Liber LL, 5  
Acts

An Act to Confirm unto William Anderson of Ann Arundell County Planter a Certain Tract of Land herein after mentioned

Acts of 1724,  
ch. 7  
p. 10

Whereas the said William Anderson by his humble Petition to this present Generall Assembly has set forth that in the year Seventeen hundred and Twenty one he Did Agree with a Certain James Smith of Ann Arundell County for the Purchase of a Tract of Land Called Gosnell's Adventure Containing One Hundred Ninety and Nine Acres for the Consideration of Ten Pounds Sterling And that he the said James Smith And the Said William Anderson Did proceed so far in the Confirmation of said Bargain that the said James Smith Did Enter into Bond in the Penalty of forty pounds Sterling for the Making Over and Conveying the said Land to the said William Anderson and his heirs And that the said William Anderson did upon the Credit of the said Land think himself Secure thereof by the Bond af<sup>d</sup> And thereupon became bound with the said James Smith to Amos Garrett Esq<sup>r</sup> for the Payment of Twenty One Pounds Current Money which Sum doth far exceed the Consideration af<sup>d</sup> And after the Execution of the Bonds af<sup>d</sup> the said James Smith run away to places Unknown to the said William Anderson And did leave no Estate of any kind whatsoever And hath neither Conveyed the Land af<sup>d</sup> to the said William Anderson Pursuant to his Bond af<sup>d</sup> nor discharged him from the Bond Entered into as af<sup>d</sup> to the said Amos Garrett whereby the said William Anderson Lyes lyable to Pay the money due on the Bond af<sup>d</sup> to the said Amos Garrett And hath no Other Security of the Land af<sup>d</sup> Save the Bond af<sup>d</sup> All which Premises being fully proved to this Generall Assembly It's therefore humbly Prayed that it may be Enacted And be it Enacted by the Right Honourable the Lord Proprietor by and with the Advice and Consent of his Lordships Governour And the Upper and lower houses of Assembly and the Authority of the Same that the said William Anderson and his heirs and Assigns for Ever shall have hold possess and Enjoy a good Sure and Absolute Estate of Inheritance in ffee Simple of and in the aforesaid Tract of Land Called Gosnell's Adventure Containing One hundred ninety and

p. 11

Liber LL, 5  
Acts Nine Acres with the Appurtenances thereunto belonging in as full and Ample manner to all Intents and purposes whatsoever as if the same Land had been Conveyed to the said William Anderson according to the Directions of the Act of Assembly for Quieting Possessions Enrolling Conveyances and Securing the Estates of Purchasors any Law Statute Judge or Custom to the Contrary thereof in any wise notwithstanding Saving to his most sacred majesty his heirs and Successors and to the right hon<sup>ble</sup> the Lord Pröpry and his heirs and Successors and to all bodies Politick and Corporate and all others not mentioned in this Act their Severall and respective Rights.

Acts of 1724,  
ch. 8 An Act for the Naturalization of John Swineyard of Baltemore County Planter

Be it Enacted by the right hon<sup>ble</sup> the Lord Pro<sup>v</sup> by and with the advice and Consent of his Lordships Governour and the upper and lower Houses of Assembly and the Authority of the same that the said John Swineyard being born under the dominions of the King of France be Enabled and Adjudged to all Intents and Purposes to demand and Challenge have hold and Enjoy any Lands Tenements Rents and hereditaments to which he is or may in any wise be Entitled to within this Province as if he the said John Swineyard had been his Majestys free and naturall born Subject and Leige Person thereof he the said John Swineyard having taken the usuall Oaths to the Government appointed by Law and also that he the said John Swineyard be and is hereby Enabled to maintain Prosecute Avow Justify and Defend all and all manner of Actions Suits Plaints Pleas, and other Demands whatsoever within this Province as liberally frankly freely fully lawfully and Securely as if he the said John Swineyard had been his Majestys Naturall born Subject and Leige Person any Law Statute usage or Custom to the Contrary in any wise Notwithstanding.

Acts of 1724,  
ch. 9 An Act for Confirming a certain deed of Settlement made by Robert Proctor of certain Lands and Tenements therein mentioned to his then wife Rachell now called Rachell Freeborn and to Invest the said Rachell with other Lands in Pursuance of our deed of Gift or Settlement.

Whereas Rachell Freeborn of the City of Annapolis widow hath sett forth by her humble Petition to this Present generall Assembly that Robert Proctor late of Ann Arrundell County deceased her former husband by his certain deed duely made Executed and Recorded bearing date the twenty fifth day of May Sixteen hundred Ninety and four for the Considerations in the same deed mentioned did give grant Alien Enfeoffe and Confirm unto a certain Richard Hill in trust and for the only use of the said Rachell her heirs and assigns

forever Three Several tracts or Parcells of Land lying in Ann Arrundell County the one Called or known by the name of the Intacke Surveyed for One Hundred Acres more or less One other tract Called or known by the name of Proctors Chance Surveyed for Thirty Acres more or less. One other tract of Land called by the name of the Mill Land Surveyed for One hundred Acres more or less and also that Mill with the Lands thereunto belonging Scituate lying and being upon the North Branch of South River and also all those Messuages Lotes Tenements and Hereditaments with their and every of their Appurtenances Scituate lying and being on Severn River in Ann Arrundell Town in the County af<sup>d</sup> as by the same deed Shewed to this Present generall Assembly and Endorsed Entred in Lib: B. fol. Two hundred and Sixty Seven Tho<sup>s</sup> Briscoe Clk. which record Book was Burnt in the late Stadt house fire in the County office of said County more fully appears But that the two County Justices before whom the said Deed was really acknowledged omitted to Sign their Names to the same acknowledgment on the said deed Endorst altho one of them Signed the same deed as an Evidence she therefore Prayed that an Act might Pass for Confirmation of the same deed

Liber LL, 5  
Acts

p. 13

And whereas it appears to this Present generall Assembly that Sundry Sales have been made of the said Lands and Tenements under the same deed the Titles of which Purchasers would be lyable to be questioned where not Relief Provided in this Case. It is therefore Prayed that it may be Enacted. And be it Enacted by the right Hon<sup>ble</sup> the Lord Proprietor by and with the advice and Consent of his Lordships Governour and the Upper and lower houses of Assembly and the authority of the same that it shall and may be lawfull for the s<sup>d</sup> recited deed the former record thereof being burnt as af<sup>d</sup> to be recorded in the new Land Records of Ann Arrundell County, and be of as full force and Effect to all Intents and Purposes as if the same deed had been duly acknowledged and the Acknowledgment thereof duly Certified any defect or omission therein in any wise Notwithstanding.

And whereas it is also represented to this Present generall Assembly that the said Robert Proctor on the same twenty fifth day of May the time of making the Deed aforementioned by his certain deed under his hand and Seal duly Executed and Entred in the Same County records and in the same Book by the same Clark above mentioned did for and in Consideration of his Debility of Body through Sickness constitute and appoint the said Rachell by the name of his most indeared and well beloved Wife Rachell Proctor his true and lawfull Attorney irrevocably to ask demand Sue for Levy require Recover and Receive all debts Sum and Sums of Money and Tobacco goods wares Merchandize Lands Tenements or other Estate reall or Personall whatsoever which were then due or Properly belonging

Liber LL, 5 to him the said Robert Proctor from any Person or Persons what-  
 Acts soever and for default of Payment or Satisfaction to Arrest Implead  
 Attach Imprison and Condemn in his and their Body their Lands  
 goods and Chattles in Execution to take and out of Execution De-  
 liver and to Compound and agree as need shou'd require and also  
 the same to release acquitt and discharge and to adjust reckon and  
 Ballance Accounts with any Person or Persons whatsoever and also  
 to appear before any Judge or Justices in any Court or Courts of  
 Judicature and there to answer for him the said Robert Proctor all  
 Action or Actions there depending and also to appear from Court  
 to Court as need should require and attorneys to Substitute and at  
 Pleasure to Revoke without rendring any Account for the same to  
 him the said Robert Proctor his heirs Executors or Administrators  
 giving and granting unto his said wife as great Power and authority  
 to do Say Conclude Perform and finish all and every other Act and  
 Acts thing and things device and devices whatsoever needfull to be  
 done, in and about the Premises in as full and Ample manner as if he  
 the said Robert Proctor were Personally Present for the better  
 Incouragement of his said dear and Loving Wife to Undergoe the  
 Burthen and to Enable her to help Cherish relieve Provide for and  
 maintain him the said Robert Proctor and her family and pay his  
 just debts he the said Robert Proctor did by the said deed give grant  
 Permitt Suffer and Licence his said dear and Loving wife Rachell  
 Proctor to Buy Sell Exchange Barter and alter the Property of any  
 Negroes Servants Cattle Sheep, horses, Plate household Stuff Lands  
 Tenements goods and Chattles or other Estate reall or Personall  
 whatsoever belonging to him the said Robert Proctor and the Profits  
 thereof to Receive take and at her will and Pleasure to dispose of the  
 same Lands to Purchase and take Conveyances in her own name and  
 to the uses of his said Wife and her heirs and to take Bills Bonds and  
 keep books of Account in her own name in as full and ample manner  
 as if his said wife were in truth a Feme Sole Merchant without the  
 Privity Consent allowance and Confirmation of him the said Robert  
 Proctor and that as a Feme Sole Merchant she his said wife might  
 p. 14 Commence Suits for recovery of any Lands debts Bonds Bills  
 Accounts Covenant promise or other Contract whatsoever and he did  
 thereby give grant Permitt Suffer and Licence his said dear and  
 Loving wife (if it Pleased God she departed this Life during her  
 Coverture) to make a Will and therein Nominate Executor or  
 Executors for Execution of the same, that by the said will she might  
 give Bequeath and devise any or all the Lands Tenements goods  
 Chattles or reall or Personall Estate to any Person or Persons  
 whatsoever that she was then in Possession of or had any title to or  
 Interest in And that he the said Robert Proctor should at no time  
 do or cause to be done any Act or things to frustrate make void hinder  
 or Impead the full Performance of the same but that he the said



Robert Proctor his heirs Executors and Administrators should upon Request and at the Charges in the Law of the said Rachell Proctor her heirs Executors and Administrators do all and every further Act and Acts for the better Confirmation of the same as by the same deed Produced to this Present generall Assembly more fully appears And forasmuch as some Persons Scruple the Avail of the said deed for the giving his reall Estate in the Manner thereby Intended to the said Rachell and for that the Levying of fines to remove the said doubts and ascertain the Estate of the said Pet<sup>r</sup> to the other Lands whereof the said Proctor dyed rightfully and lawfully Seized the said Petitioner therefore Prayed that for removing doubts concerning her Estate in the said Lands the same deed might by an Act of this Present generall Assembly be declared to be a compleat disposition of all the said Proctors Lands whereof he dyed Seized unto her the said Rachell

Liber LL, 5  
Acts

Which being thought highly just and reasonable and agreeable to the true Intent of the said Proctor is therefore further Prayed to be Enacted.

And be it Enacted by the Authority aforesaid by and with the advice and Consent aforesaid that the same last Recited Deed be and is hereby made in all things Sufficient to Invest the said Rachell her heirs and assignes with the same Estate in any Lands whereof the said Robert Proctor dyed Seized as he the s<sup>d</sup> Robert at the time of his Death was Vested with any defect in the same deed or in the Execution or Perfection thereof in any wise notwithstanding.

Provided always that nothing in this Act shall Extend nor be Construed to Extend to the defeating or Prejudicing of any Sales Purchases or any other dispositions of the Lands called Intack or Proctors Chance or of any other the lands or Tenements therein mentioned that have been at any time made before the making of this Present Act but that all such Sales Purchases or dispositions shall and may remain in the same State and Condition in all Respects as if this Act had never Past.

Saving to his most Sacred Majesty his heirs and Successors and to the right hon<sup>ble</sup> the Lord Prop<sup>ry</sup> and his heirs and Successors and to all bodies Politick and Corporate and all others not mentioned in this Act their Severall and Respective Rights.

An Act for the Relief of Sundry Languishing Prisoners therein mentioned.

Acts of 1724,  
ch. 12  
p. 17

Whereas John Medcalf and Susanna Mitchell of Prince Georges County Ann Braham John Hurst Edward Norwood and Frances Dorsey widow of Baltimore County, Edward Jones of Talbott County Thomas Oldham and William Norton of Cecill County Mathew Ashley and Thomas Shore of Ann Arrundall County John Clements of Dorchester County, John Olliver of Kent County Wil-

Liber LL, 5 Acts liam Owen and Jacob Ratcliffe of Queen Anns County have by their Humble Petitions to this Present generall Assembly Severally Set forth that they have Continued Prisoners for debt in the Custody of the Severall Sheriffs of the Countys af<sup>d</sup> for some considerable time Past, and Still Continue in the like deplorable Circumstances not being able to Redeem their Bodies with all the Estate or Interest they have in the World Which they would readily Surrender up and Part with to their Several and Respective Creditors if they would Accept the same And Grant the said Petitioners their Liberty which seems so unlikely to Obtain that unless relieved by a Particular Act to be past in their favour (which by their Said Petitions they have humbly Prayed) they must Inevitably Continue Prisoners for Life And thereby their families Utterly ruined And for that the truth of the said Petitioners Allegations is made Appear to this Generall Assembly by Sufficient Testimony and for that the said Petitioners and their families are fit Objects of Charity And that lying in Goal Can be no Benefit to their Creditors It is humbly Prayed that they may be relieved According to their Prayer And that it may be Enacted And be it Enacted by the Right Honourable the Lord Proprietor by and with the Advice and Consent of his Lordships Governour and the Upper and lower houses of this present Generall Assembly And the Authority of the Same that Unless All or Any of the Creditors of the said John Medcalf, Susannah Mitchell Ann Braham, John Hurst Edward Norwood, Frances Dorsey widow, Edward Jones, Thomas Oldham, William Norton Mathew Ashley Thomas Shore John Clements, John Oliver William Owen and Jacob Ratcliffe or the Creditor or Creditors of any or Either of them or the Attorney or Attorneys of such Creditor or Creditors or Any or Either of them af<sup>d</sup> within this Province within Twenty Days after the End of this Session of Assembly go to the Sheriffs of the Several Countys in which the Prisoners before mentioned are Respectively Detained or kept in Custody and give good Security to Pay the Imprisonment ffees at Ten Pounds of Tobacco per Day that shall or May become Due from the said Prisoners or Any or Either of them after the End of the said Twenty Days And Also to find the said Prisoners or Any or Either of them Sufficient Meat Drink and Cloathing during their future Imprisonment in Case they or Any of them the Prisoners aforesaid shall Deliver up and Surrender or Cause to be Delivered up and Surrendred to the Sheriff of the County in whose Custody they Are in the Presence of two Justices of the Peace in Each of the said Counties whom the said Sheriff are hereby required to Sumon on the request of the said Prisoners or Any of them at the Dwelling Plantations or Places of Abode of the said Prisoners or any of them at Some Convenient time between the first day of November next and the Tenth day of December next All their Real and Personal Estate Either in Possession Reversion Re-

mainder or in trust or in or Unto which they have or Any or Either of them hath any Claim or Interest whatsoever And Do likewise betwixt the Days aforementioned Convey Assign Transfer and Make Over unto the Sheriff of Such County wherein the said Prisoners or Any of them are Detained in Goal for the Use of their said Creditors All such their Estate Interest or Claim as aforesaid after Such Manner as by the Said Sheriff and the Major Part of the said Creditors or of Such of them as shall think fit to Direct therein or their Councill learned in the Law shall reasonably Devise or require. At the Cost and Charges of such Persons as shall Claim the Benefit thereof so as the said Prisoners nor Any of them be not burthened with Any warrantys thereby Other then from themselves And those that Claim by from or Under them And that the said Prisoners and Every One of them at the time of Such their Surrender and transferring their Estates as aforesaid shall take his or their Solemn Oath before the said two Justices of the Several and Respective Counties a<sup>d</sup> so to be Summoned as a<sup>d</sup> to the Effect following Viz.

I A B Do Solemnly Swear that the Goods Debts and Effects which I have Delivered Assigned & Made Over to the Sheriff of County And in trust for the Use of my Creditors is the whole Estate both real and Personal of my Own in Possession or have Any Title to in the world (save as to John Medcalfe such Lands as I now hold, or have Any Title to in Right of my Wife) And that I have not Any Estate Goods or Effects of any kind whatsoever left Either in Possession Reversion or Remainder (the Necessary wearing Apparrell for my Self wife and Children Excepted) And that I have not directly or Indirectly Sold Leased or Otherwise Conveyed Disposed off or Intrusted All or Any Part of my Estate thereby to Secure the Same to receive or Expect Any Profit or Advantage thereof.

So help me God

It shall and May be lawfull for the Sheriffs of the Several Counties aforesaid after the End of the said twenty Days And the Said Sheriffs are hereby required to Discharge the Persons of the said Several Prisoners out of their Custody And to Suffer them to go at large And the Persons of the said Debtors so as aforesaid Discharged out of the Custody of the Sheriff and Suffered to go at Large shall never Any more be lyable to be taken in Execution for or upon the Account of Any Debts Dues or Demands of what nature Soever that at the time of the making this Act was Due from the aforesaid Debtors to any of their Creditors. Provided Always and be it Enacted by the Authority aforesaid that Notwithstanding the Discharge of the Persons of the Prisoners aforesaid upon taking the Oath aforesaid All and Every Judgment now had and taken or that shall hereafter be Obtained had and taken against Any of the Aforenamed Prisoners by Any of their Creditors for Any Debt or Debts

Liber LL. 5 now Owing and Due from any of them to such their Creditors shall  
 Acts be and Stand Good and Effectual in Law to All Intents and Purposes  
 against the Lands Tenements Hereditaments Goods and Chattells  
 that the said Several prisoners so Discharged as aforesaid shall here-  
 after Acquire And Come to the Possession of in their own Right  
 Only And it shall and May be lawfull to and for the Creditors of the  
 said Several Prisoners so Discharged as aforesaid their Executors  
 Adm<sup>rs</sup> or Assigns to take out any New Execution Against the Lands  
 Tenements Hereditaments Goods and Chattells of the Prisoner or  
 Prisoners aforesaid (his or her wearing Apparell Bedding for him  
 and his or her Family and Tools necessary for his or her trade or  
 Occupation And what may be Necessary for their Subsistance not  
 Exceeding the Value of Ten Pounds Current money only Excepted)  
 for the Satisfaction of his or their Said Debt in such Sort manner and  
 form as he or they might have Done if the Person or Persons of the  
 said Several Prisoners so Discharged as af<sup>d</sup> had never been taken in  
 Execution Any Act Statute or Custom to the Contrary Notwith-  
 standing And Be it further Enacted by the Authority af<sup>d</sup> by and  
 with the Advice and Consent af<sup>d</sup> that in Case the said Sheriffs or  
 Any of them shall be sued for any Matter or thing required of them  
 or Either of them to be done by this Act that then the said Sheriffs  
 or either of them whom it may concern may Enter a Common Ap-  
 pearance without special Bail to any such Action or Actions as shall  
 be brought against them any or either of them and plead thereto  
 the Generall Issue and give this Act or the Exemplification thereof  
 with the Special matter arising thereon in Evidence and that in Case  
 the Plaintiff or Plaintiffs Commencing and bringing such Action or  
 actions as af<sup>d</sup> shall be Nonsuit the Defendant or defendants shall  
 p. 20 recover against him or them double costs of Suit any Law Statute  
 Usage or Custom to the Contrary Notwithstanding.

And be it further Enacted by the Authority Advice and Consent  
 af<sup>d</sup> that the Sheriffs of the Severall and respective Countys af<sup>d</sup> and  
 every of them shall after such Surrender and Delivery up as af<sup>d</sup> give  
 Publick Notice at the Churches Court houses and Mills within the  
 said Countys of some Precise time by them the said Sheriffs and the  
 said two Justices to be appointed for the distribution of the Effects  
 of the said severall Prisoners or any or either of them not less then  
 twenty days after the time of the makeing of the said Surrender and  
 shall then and there in the Presence of two Justices as af<sup>d</sup> and by their  
 advice and directions make Distribution of the Estate or Estates of  
 the said Severall Prisoners or of the Estate or Estates of any or  
 either of them so as aforesaid to be Surrendered delivered up or  
 Transferred amongst such of their said Creditors only as shall their  
 by themselves or their Attorney or Attorneys think fitt to be Present  
 at such distribution by an equall and Proportionable distribution  
 thereof to every such Creditor with respect had and in Proportion



to the largeness of his or her debt the Proceedings of the said Justices and Sheriffs in that Behalf to be certified to the Courts of the severall Countys aforesaid and there Lodged for the Perusall of any of the Creditors of the severall Debtors aforesaid that shall require the same and without any fee to be Paid thereon, or for such Lodging thereof Saving the right of the right Honourable the Lord Pro<sup>p<sup>r</sup></sup> his heirs and Successors, and of all Bodies Politick and Corporate and all others not mentioned in this Act Provided nevertheless that in Case the said Severall Prisoners or either of them shall at any time after the making such his her or their Oath or Oaths as af<sup>d</sup> be convict of willfull and Corrupt Perjury thereupon or of a willfull Breach or non Compliance with the Tenour of such Oath that then the said severall Prisoners or such or so many of them as shall be Convict as af<sup>d</sup> shall upon such Conviction be adjudged to stand two hours in the Pillory, And have his her or their left Ear Cutt of and shall be wholly deprived of all and Singular the benefitts designed them or either of them by this Law and shall be thence forth lyable to be Prosecuted for any debts or demands whatsoever in the same Manner as if this Act had never been made any thing therein Contained to the Contrary Notwithstanding. Provided nevertheless that the Person of Edward Norwood one of the Petitioners before mentioned shall not be discharged and Set at large by the Sheriff in whose Custody he is untill he has fully Accounted with M<sup>r</sup> Thomas Worthington on Oath and Proved in Proper form the outstanding debts that shall appear by such Account to be such anything in this Act Contained to the Contrary in any wise notwithstanding.

Liber LL, 5  
Acts

And it is hereby likewise Provided and required that the Sheriff of Queen Anns County in whose Custody Jacob Ratcliffe one of the af<sup>d</sup> Prisoners now is shall upon Notice given him of this Act forthwith discharge and Sett at large the Person of the af<sup>d</sup> Jacob Ratcliffe out of his Custody in regard of his Present Sickness and indisposition of Body and for so doing the said Sheriff shall be Indemnified and Saved harmless in the same manner as is Provided by this Act for discharging and Setting at large the Persons of the other Prisoners mentioned therein any thing in this Act to the Contrary in any wise Notwithstanding.

p. 21

Provided also that nothing in this Act shall be Construed to debarr or hinder the said Jacob Ratcliffe from Applying for his remedy against any Person by whom he has unjustly Suffered by Sueing in forma Pauperis.

And it is also further Provided and it is hereby declared that John Medcalf one of the aforesaid Prisoners shall not after the last day of May Seventeen hundred and twenty Six reap any further Benefit or advantage by this Act unless he shall Annually deliver unto Master Robert Tyler and Master Thomas Lancaster four good clean prized hogsheads of Tobacco Each hogshead to Contain Six hundred weight

**Liber LL, 5** of Neat Tobacco in trust for the use of all his Creditors to be Shipt  
**Acts** by them on the Risque of the said John Medcalf and Consigned to such Merchant in London as he shall direct the neat Produce of which to be distributed by the said Robert Tyler and Thomas Lancaster amongst all the Creditors of the said Medcalf in equall Proportion to their Severall Claims at any time when they shall Require it and so from time to time untill such Creditors shall have Received their full debts due and now Owing to them from the said Medcalf anything in this Act to the Contrary in any wise Notwithstanding.

And Whereas it is represented to this Present generall Assembly that Samuel Sweringen of Prince Georges County Planter stands bound for the aforesaid John Medcalf to Phillip Lee Esq<sup>r</sup> high Sheriff of Prince Georges County on a ne Exeat Provinciam taken out by a certain Richard Lancaster against the said John Medcalf in a Considerable Sume of money and Tobacco as the Proper debt of the said John Medcalf which the said Sweringen would be lyable to Pay in case the said Medcalf should depart this Province dureing the force of the said Bond. And notwithstanding his the said Medcalfes being discharged in the manner Prescribed by this Act Be it therefore Enacted by the right hon<sup>ble</sup> the Lord Proprietary by and with the Advice and Consent aforesaid that upon the said John Medcalf his Complying with what is required of him by this Act in respect to his Surrender as aforesaid and after his discharge thereupon the said Samuel Sweringen shall and is hereby declared to be acquitted released Discharged and Saved harmless from any damage he might Sustain by being bound as aforesaid any Law Usage or Custom to the Contrary thereof in any wise Notwithstanding.

Provided nevertheless and be it further Enacted by the Authority Advice and Consent aforesaid that in Case all or any of the Prisoners aforesaid shall at any time after the makeing this Act leave this Province such Prisoner as aforesaid doeing the same shall notwithstanding any thing in this Act be Sued for their debts in the same manner as if this Act had never been made

**Acts of 1724,** An Act to Enable John Cheney and Mary his wife to Sell in ffee  
**ch. 13** Simple three hundred Acres Part of a Tract of Land Called Water-  
**p. 22** ford notwithstanding the Same is Specially Intailed on the heirs of the body of the said Mary by Benjamin Williams of Ann Arundell County.

Whereas Benjamin Williams of Ann Arundell County by his Deed Indented bearing Date the Sixth Day of August One Thousand Seven hundred and twenty two Did in Consideration of Love Good Will and Affection Convey and Make over unto his Son in Law John Cheney and Mary his wife and to the heirs of the said Mary's Body begotten by the said John A Certain Parcell of Land Originally granted the first day of May Sixteen hundred and Seventy Six unto

William Jones for Eight hundred Acres by the name of Waterford Liber LL, 5  
Acts  
 And whereas it is Represented Unto this Assembly by the said Benjamin Williams John and Mary Cheney af<sup>d</sup> that thro<sup>t</sup> a great Charge of Children Great Sickness and Other Misfortunes the said John and Mary are much Impoverished And no means whereby they Can hope to be relieved but by the Sale of Part of the Said Eight hundred Acres which none will buy because the Same is Intailed Except the said John is Enabled by Law to Sell in ffee Notwithstanding the Intail af<sup>d</sup> And whereas this Present Generall Assembly have taken the Premises into Consideration And have thought it reasonable to Enable the said John to Sell and Dispose of in ffee Simple three hundred Acres of the af<sup>d</sup> Tract notwithstanding the Deed of Intaile af<sup>d</sup>

Be it Therefore Enacted by the Right Hon<sup>ble</sup> the Lord Prop<sup>ry</sup> by and with the Advice and Consent of his Lordships Governour and the Upper and Lower Houses of Assembly and the Authority of the Same that he the said John Cheney and Mary his wife shall be Enabled and are hereby Enabled to Make Sale in fee by Deed or Deeds Indented after the usual and lawfull Manner of Conveying Land to Any Person or Persons whatsoever a Quantity of the said Tract not Exceeding three hundred Acres. And be it further Enacted by the Authority af<sup>d</sup> that Such Person or Persons as shall buy by Deed or Deeds Indented as af<sup>d</sup> shall have as good Estate in ffee Simple by Vertue of such Sale as if the said John and Mary were Seized in ffee Simple to them and their heirs for Ever Notwithstanding the Deed of Intail af<sup>d</sup> or Any Clause or Article therein Contained Provided that this Act or Any thing therein Contained shall not be Construed to make a better Estate to the said John & Mary or to Any Purchaser or Purchasers Deriveing Under them by Vertue of this Act than the said Benjamin Williams had at and before the Enseeling & Delivery of the Deed of Intaile af<sup>d</sup> Saving to his most Sacred Majesty his heirs and Successors and to the Right Hon<sup>ble</sup> the Lord Prop<sup>ty</sup> his heirs & Successors and all Bodies Politick and Corporate and all Others not mentioned in this Act their Severall and respective Rights.

An Act for the Relief of the Devises of James Phillips the elder and Anthony Phillips late of Baltemore County deceased Acts of 1724,  
ch. 15  
(Repealed  
1732, ch. 10)

Whereas it hath been made Appear to this Present generall Assembly that James Phillips the Elder late of Baltemore County deceased made and duly executed his last will and Testament in Writing and thereby devised and Bequeath'd his reall and Personall Estate to his four Children Viz James Phillips his eldest Son Anthony Phillips Mary and Martha his daughters in manner and form following Viz. Unto his Eldest son James Phillips all his tracts of Land at Gunpowder River called Phillip's Islands with the Stock and Im- p. 24

Liber LL, 5  
 Acts      provement thereunto belonging and all the Residue of his Lands except Four hundred Acres to be divided equally betwixt the said James and Anthony And the said four hundred Acres to be equally divided betwixt the daughters Mary and Martha and all his Personall Estate except the Stock on Phillips Island to be equally divided amongst his said four Children and appointed his Eldest Son James to be Executor that it appears the Testator Intended that all his Children should have Estates of Inheritance in the severall Parcells of Land devised to them which last will and Testament was either lost or Purposely destroyed and by that means the Intentions of the Testator were frustrated and the devisees without remedy without the aid of the Assembly the said James Phillips the Son Claiming all his fathers reall Estate by descent as heir at Law of his father And Whereas the said Anthony Phillips in his life time by his last will and Testament in writing duely Executed gave and devised severall Parcells of Land which he claimed by Virtue of his fathers Will to severall Persons which his the said Anthonys devisees are in danger of being defeated of by the loss or destruction of the said will wherefore it is Prayed that it may be Enacted. And be it Enacted by the right honourable the Lord Proprietary by and with the advice and Consent of his Lordships Governour and the upper and lower houses of Assembly and the Authority of the same that the reall Estate of the said James Phillips the elder except Phillips's Islands and four hundred Acres of his other Lands shall be deemed the Estate of Inheritance in fee Simple of the said James Phillips the Son and Anthony Phillips their heirs and devisee or of others having their Estate as if the last will and Testament of the said James Phillips the elder had been Subscribed in the Presence of Three Creditable Witnesses duely Proved and Recorded and that the said Lands were thereby expressly devised to the said James and Anthony to be equally divided between them and their heirs for ever. And be it further Enacted that the said Mary Phillips now Mary Smithers wife of Richard Smithers and Martha Phillips now Martha Paca Widow and Relict of Aquila Paca deceased and their heirs and assignes forever shall have as good an Estate in fee Simple in four Hundred Acres Part of the lands of their said father James Phillips as if his said Will had been Subscribed Proved and Recorded as af<sup>d</sup> And that the said four hundred Acres were thereby Expressly devised to be equally divided between the said Mary and Martha and their heirs and assignes forever. And be it further Enacted that the said James Phillips the son Anthony Phillips Mary Smithers and Martha Paca their Executors Adm<sup>rs</sup> or other legall representatives shall be and are by this Act Entitled to the same Shares and distributions of the Personall Estate of the said James Phillips the Elder as if his said Will had been duely Proved and recorded Any Law Usage or Custom to the Contrary Notwithstanding Saving to his most Sacred



Majesty his heirs and Successors, and to the right honourable the Lord Proprietary and his heirs and Successors and to all bodies Politick and Corporate and all others not mentioned in this Act their severall and respective rights. Liber LL, 5  
Acts

An Act Relieving the Inhabitants of this Province from some Difficulties they may lye under in Paying their Leavys and other just Tobacco Debts this Year. Acts of 1724,  
ch. 19  
p. 29

Whereas it is represented to this Present Session of Assembly that by occasion of the great draught for a considerable time the last Summer and the great and sudden Gusts of winds and Rains which Succeeded a great number of the Inhabitants of this Province has not made Tobacco's Sufficient to Pay their Levys. And forasmuch as it might tend to the utter Ruin of many families especially of the Poorer Sort if the Publick Creditors in this Scarce year of Tobacco Should insist on the Receiving the whole of their Claims as aforesaid Be it therefore Enacted by the right honourable the Lord Proprietary by and with the advice and Consent of his Lordships Governour and the upper and lower Houses of Assembly and the Authority of the same that from and after the end of this Present Session of Assembly at any time before the twenty fifth day of December next it shall and may be lawfull for any of the Inhabitants within this Province that are not in a Capacity to pay any Part of their Levys this year in Tobacco or money or can only Pay some Part thereof to apply themselves to any Justice of the Provinciaall or County Courts of this Province or City Magistrate the which Justice or Magistrate so applied to is hereby Impow-ered and required to administer the Oath hereafter appointed by this Act to such of the Inhabitants as shall desire it or if Quakers their Affirmation to the same Effect and likewise to give every such Person a Certificate in the form hereafter Prescribed by this Act of his having taken such Oath or affirmation before them and every such Person that shall have taken such Oath or Affirmation and Procured such Certificate from the Justice as aforesaid And shall Produce the same to any of the Commissioners appointed by this Act for the County where they are Inhabitants at any time by the Seventh day of January next shall not for this year be lyable to any Execution on account of their Levys for more then hereinafter Directed nor shall be obliged to Pay more on that Account then what they shall Declare upon such Oath or Affirmation they can Pay. But in all such Cases the Sheriffs of the severall and respective Countys within this Prov. are hereby required Pursuant to the direction of the Commissioners appointed by this Act for such County to Credit such Persons for their Levys, or such Part thereof as they cannot pay untill another year without charging any Interest or forbearance for the same and forasmuch as it would be to great

Liber LL, 5 a hardship and Burthen upon the Severall Sheriffs to give such large  
 Acts Creditts as the defalcations occasioned by giving such Creditts as  
 aforesaid would Amount to without being Enabled to make a Pro-  
 portionable deduction from the Payments for this Year out of the  
 severall Claims due to the Publick Creditors whether it be on Ac-  
 count of the Publick County or Parish Leavy or fourty p pole. Be  
 it therefore Enacted by the Authority advice and Consent aforesaid  
 that it shall and may be lawfull for the severall and respective  
 Sheriffs of the Counties aforesaid who shall by Virtue of this Act be  
 obliged to give such Creditts as aforesaid to deduct such a Propor-  
 tionable Part of the Defalcations Occasioned thereby as well out of  
 their own Claims and Sallary and Ballances Due to them for Levys  
 last year as out of the Claims of the severall Creditors, as shall be  
 p. 30 directed by the Comissioners to be appointed as aforesaid or any  
 of them and such Sheriff shall only be lyable to Pay such Creditors  
 this year the remaining Part of their severall Claims after such  
 deduction is made and the severall Sums of Tobacco so deducted out  
 of the Creditors and Sheriffs Claims for this Year shall be and  
 Remain in the Sheriffs hands as a Credit to the Accounts of such  
 Creditors or Sheriffs the Ensueing Year. Provided always that the  
 Sheriffs shall in no wise be accountable for any of the Insolvencies  
 of the Severall Debtors that he is obliged by this Act to Credit untill  
 another year. But that in all such Cases upon the Sheriffs delivering  
 to the County Court at the time of laying the Leavy next year a true  
 List of the names of such Persons as appear to be Insolvent and the  
 Sums of Tobacco due from them for Levys the severall County  
 Courts are hereby impowered and required in the usuall manner to  
 Levy the totall Sume of Tobacco lost by such Insolvencies by an  
 equall Assessment p Pole upon the taxable Persons within their  
 County to be Collected by the Sheriff in the usuall manner.

Provided always and it is the true Intent and meaning of this Act  
 that Persons Residing in Towns and others that do not usually make  
 Tobacco but Employ themselves in other Business shall not be Ex-  
 empt from Paying their Leavys as usuall or Paying for the same  
 at their Election at the Rate of Two Pence Currant money Per Pound  
 except such of them as will make Oath or Affirmation if a Quaker,  
 in manner and form hereafter appointed in Relation to money in all  
 which Cases the Persons making such Oath or Affirmation shall be  
 Entitled to the same forbearance and Priviledge as in Case of To-  
 bacco Debts. Provided they make such Payment if in money to the  
 Sheriff of the County by the first day of January next who is hereby  
 required to receive the same, and to keep a fair Account of what he  
 shall Receive to be laid before the Comissioners to be appointed  
 by this Act or any of them by them to be Proportioned to the Claims  
 of the severall Publick Creditors who shall be obliged to receive from  
 the Sheriffs their Proportionable Part of such money in Lieu of so

much Tobacco as it amounts to and for the better ascertaining and Direction of the Severall Commissioners and Sheriffs in their duty in Pursuance of this Act. Be it Enacted that the severall Commissioners to be appointed by this Act are hereby required to give their attendance at their respective Dwelling houses on the fifth Sixth and Seventh days of January next to receive all such Certificates, as have not been Produced to either of them before that time from any of the Inhabitants of their having taken the Oath or affirmation aforementioned. And the said Commissioners or any of them together with the Sheriff of each respective County are hereby required to meet at their severall County Court Houses on or before the twelfth day of January next. that is to say between the Seventh and twelfth of January next by them to be agreed upon where the Sheriff of each County is required to lay his List of Taxables and the List of the Publick Claims, together with his Charge of Levys against every debtor this year and an Account of the Ballances for Levys due to him last year, as also a true Account of what money he has Received for Levys, and from whom before the said Commissioners who shall Proceed to make the Computations in manner following (Viz) first how much the totall Amount of the Publick County and Parish Leavy with the fourty p Pole together with the Sheriffs allowances whether for Sallary or otherwise or for Ballances due to him for Leavys last year come to for this year and then to Compute what defalcations are to be made for the Relief of those that Obtain Certificates and so to deduct the Sume of the defalcations from the Sume Totall of the Claims as aforesaid, and then to examine without making a fraction of a Pound of Tobacco how much p Cent such defalcations amount to and the said Commissioners are hereby further required to Proportion the money such Sheriff shall receive for Leavys to the severall Claims of the Creditors as aforesaid, and shall within or not exceeding three days after the said Twelfth day of January certify to the Sheriff under their hands and Seals a List of the Sums of Tobacco he shall be obliged to Creditt every debtor for untill next year, and also how much per Cent he is to deduct from his own and the other Publick Creditors Claims this year, and Ballances due to him for Levys last year and likewise how much of the remaining sums according to their due Proportion every such Creditor shall be obliged to Receive from the Sheriff in money Provided always such Payments in money be made or tendered to the Creditor by the Sheriff by the twentieth day of february next. The form of a Oath or affirmation if a Quaker required by this Act to be taken by debtors for Levys is as follows Viz. I A B do declare that since I knew or heard that the Act of Assembly was made Intituled an Act relieving the Inhabitants of this Province from some difficulties they may lye under in Paying their Levys Officers ffees and other Countrey Tobacco debts this year I have not had nor now have any

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Acts Tobacco belonging to me to Pay my Levys nor any Part thereof nor any Publick or County allowance or debts due to me from the Sheriff of this County to Discount nor any debt or debts due to me from any other Person or Persons that I can now gett to Pay the same save only such Tobacco as hath been already taken from me by (Distress) (or Execution) Thus far the Oath if they have no Tobacco but when the Case is so that they have some Tobacco but not Sufficient then to be added Save only about the quantity of . . . . . pounds of Tobacco which I will take the best Care I can to Preserve and Pay in Part of my Leavys when thereunto required, And in Case the Person Swearing or Affirming be such as do not usually make Tobacco nor can Procure it then the same Oath or affirmation to be taken Altering only the word (Money) instead of Tobacco and the form of the Certificates from the Justices administring the Oath prescribed as above shall always be in the words following or to that Effect. Viz. These are to Certify that this                      day of                      Came A. B. before me and made oath on the holy Evangelists of Almighty God, or if a Quaker made his Affirmation that since he knew or heard that the Act of Assembly was made Entituled an Act relieving the Inhabitants of this Province from some difficulties they may lye under in Paying their Levys, he has not had nor now hath any Tobacco or money belonging to him to Pay his Leavys nor any Part thereof nor any Publick or County allowance or debts due to him from the sheriff of this County to discount nor any debt or debts due to him from any other Person or Persons or that he can now gett to Pay the same Save only such Tobacco or money as hath been already taken from him by Distress or Execution Thus for the Certificate if they have no Tobacco nor money, but when the case is that they have some Tobacco or money, but not Sufficient then to be added Save only about the quantity of                      Pounds of Tobacco, or Sum of money which he will take the best Care he can to Preserve and pay in Part of his Leavys when thereunto required Given under my hand this                      day of                      Anno Domini 172                      And be it Enacted that the several Persons hereafter named be and are hereby appointed Commissioners for their severall and respective Counties for the due Execution of the severall trusts and Authorities reposed in them by this Act Viz. for Saint Marys County Collonell Thomas Trueman Greenfield Master John Leigh and Master Michael Jenifer for Kent County Master Abraham Redgrave Master James Smith Clark of the County Court, and Master Thomas Ringould for Ann  
p. 32 Arrundall County, William Lock Esquire John Beale Esq<sup>r</sup> and Master Alexander Warfield for Calvert County Collonell John Smith Major Adderton Skinner, and Master Charles Claggett for Charles County Captain Joseph Harrison Master George Dent and Master Charles Somerset Smith for Talbott County Master Daniel Sherwood Master William Clayton and Master Phillip Feddeman for



Baltemore County Collonell John Dorsey Master Lancelott Todd  
 and Master John Stoakes for Somersett County William Stoughton  
 Esquire Master Robert Martin and Master Thomas Hayward for  
 Dorchester County Captain Henry Hooper Master William Ennalls  
 and Master William Evans Junior for Cecill County Collonell  
 Ephraim Augustine Herman Master Stephen Knight and Master  
 John Hammond for Prince Georges County Major John Bradford  
 Master Ralph Crabb and Captain Leonard Holliday for Queen Anns  
 County Doctor Thomas Godman Master James Gould and Master  
 Solomon Clayton and the severall and respective Commissioners  
 aforesaid appointed to Put this Act in Execution shall in order  
 thereto before some one Justice of the Provinciaall or County Court  
 take the following Oath Viz. I A. B. do Swear that I will well and  
 faithfully discharge the severall Authorities Comitted to and Dutys  
 required of me by the Act of Assembly Entitled an Act for relieving  
 the Inhabitants of this Province from some difficulties they may lye  
 under in Paying their Levys according to the best of my Skill and  
 Power So help me God. And be it further Enacted by the authority  
 advice and Consent af<sup>d</sup> that the severall Commissioners aforementioned  
 shall be allowed in their County Levys for every day they shall  
 attend at their respective County Court Houses, in Putting this Act  
 in Execution the Sume of Eighty Pounds of Tobacco Per day and  
 each and every Commissioner aforementioned who shall wilfully refuse  
 to Serve or Neglect to attend in the due Execution of the severall  
 Powers, and Authorities given them by this Act shall forfeit and Pay  
 the Sume of Five Thousand Pounds of Tobacco One half thereof to  
 be applyed to the use of the Publick Schools in such County where  
 such fact shall arise the other half to the Informer or him or them  
 that shall Sue for the same to be recovered in any Court of Record  
 within this Province by Action of debt Bill Plaint or Information  
 wherein no Essoyn Protection or Wager of Law shall be allowed.  
 And whereas it is further represented to and considered by this  
 Present Session of Assembly that many of the Inhabitants of this  
 Province that may have a sufficient quantity of Tobacco to Comply  
 with their Leavys but have not enough to Pay their other Just debts  
 in Tobacco that may be due from them for which such Debtors are  
 lyable to be taken in Execution Be it therefore Enacted by the  
 Authority Advice and Consent aforesaid That all and every the In-  
 habitants within this Province that are Indebted any Sums of  
 Tobacco to any Person as aforesaid for which the Creditor has  
 obtained Judgment or hereafter shall Obtain Judgement in any of  
 the Courts of Justice within this Province before a Single Magistrate  
 against such debtors so as they are lyable to be Executed for the  
 same if such debtor shall Produce a Certificate to the Sheriff of the  
 County before any one Provinciaall or County Justice or City Magis-  
 trate who is hereby Impowered and required to administer the same

Liber LL, 5    it shall not be lawfull for any such Sheriff at any time before the  
 Acts        last day of November which shall be in the Year One Thousand  
 Seven hundred and twenty five to Execute either the Body goods or  
 Chattles of such debtor for any such Tobacco Debts as aforesaid,  
 and in Case debtors stand Indebted to severall Creditors and have not  
 p. 33 Tobacco Sufficient to Pay their whole debts it shall and may be  
 lawfull for such debtors to apply what Tobacco they have towards  
 the Paying which of their Creditors or in such Proportions as they  
 think meet and the remaining Part of all such Tobacco Debts due  
 from such debtors to their Creditors that are left unpaid such debts  
 shall be and Continue in the same State and Circumstance as they  
 were at the time of the debtors taking such Oath or affirmation (if  
 a Quaker) and where any Action shall be depending or Judgement  
 recovered such Action shall not be lyable to any discontinuance or  
 the Creditor be obliged to bring any Scire facias for affirming of  
 such Judgement during the Continuance of this Act. Provided  
 nevertheless that if any such debtor as aforementioned during the  
 Continuance of this Act shall go about to Remove himself and his  
 Effects out of his Proper County or this Province in order to  
 defraud his Creditors, if such his Creditors shall make appear before  
 any one Justice of the Provinciall or County Courts or City Magis-  
 trate that there is sufficient cause to Suspect that such his debtor  
 is about to Remove himself and his Effects out of his respective  
 County or the Province and shall Obtain a Certificate thereof from  
 such Justice who is hereby required to give the same in all such  
 Cases it shall and may be lawfull for such Creditor to take Execution  
 against the Body goods or Chattles of such Debtor and the Sheriffs  
 are hereby required to Execute such writts unless the Debtor shall  
 Superseed the same by giving Security Imediately in manner as is  
 Provided by the Act of Assembly for Stay of Execution after the  
 tenth day of May untill the tenth of November yearly Any thing  
 in this Act to the Contrary in any wise notwithstanding. The oath  
 or affirmation if a Quaker to be taken by all such as are to reap any  
 Benefitt by this latter Part of this Act is in the words following. I  
 A. B. do declare that since I knew or heard the Act of Assembly was  
 made Entitled an Act relieving the Inhabitants of this Province  
 from some difficulties they may lye under in Paying their Leavys and  
 other Just Tobacco Debts this Year I have not had nor now have  
 any Tobacco belonging to me nor any Publick or County allowance  
 or debts due to me from the Sheriff of this County to discount nor  
 any debt or debts due to me from any other Person or Persons that I  
 can now gett to Pay towards such debts as I am Indebted by Judge-  
 ment or upon Execution or otherwise to any Person Thus far the  
 Oath if they have no Tobacco but when the case is so that they  
 have some Tobacco but not sufficient then to add more then about  
 the quantity of . . . . . Except such Tobacco as I already have or

must apply this year towards the Payment of my Levies, the which Summe of Tobacco aforesaid I will take the best Care I can to Preserve and be ready to Pay to my Creditors towards the satisfaction of such debts as aforesaid, or some of them save only such Tobaccos as hath been already taken from me by (distress) or (Execution) Provided that such Persons as have usually made the making Tobacco their Employment, and have no Tobacco or not sufficient to Pay their Levys and other Public Dues and officers fees, may at their Election either Pay Two Pence Currant money per Pound for their whole or such Part as they cannot Pay in Tobacco or to remain indebted till next year. According to the Liberty already allowed by this Act.

Liber LL, 5  
Acts

An Act for the Relief of Thomas Dent of Charles County  
Gentleman.

Acts of 1724,  
ch. 20  
p. 34

Whereas Thomas Dent of Charles County Gentleman by his humble Petition to this present Generall Assembly hath sett forth that he has Continued a Prisoner for debt in the Custody of the Sheriff of the County aforesaid Two years and upwards in Execution for severall large Sums of money due to some of his Creditors which though he believes he has sufficient Estate in Lands and moveables to discharge yet he conceives it would be very unequall since he has not enough to satisfy all his Debts fully to Pay some and thereby deprive himself of the means of discharging any Part of the rest and hath Prayed Leave to bring in a Bill to discharge his body out of Prison upon Surrendring his whole Estate reall and Personall to be equally distributed among his Creditors and for that the truth of the said Petitioners Allegations is made appear to this generall Assembly by sufficient Testimony and for that the said Petitioner and his family are fit Objects of Charity and that lying in Goal can be no Benefitt to his Creditors it is humbly Prayed that he may be relieved according to his Petition and that it may be Enacted, and be it Enacted by the right honourable the Lord Proprietor by and with the advice and Consent of his Lordships Governour and the upper and lower houses of this Present generall Assembly and the authority of the same, that unless all or any of the Creditors of the said Thomas Dent or the attorneys of such Creditor or Creditors or any of them within this Province within twenty Days after the end of this Session of Assembly go to the Sheriff of Charles County in whose Custody the Prisoner aforementioned is detained or kept in Custody and give good Security to Pay the Imprisonment fees at Ten Pounds of Tobacco per day that shall or may become due from the said Prisoner after the end of the said Twenty days and also to find the said Thomas Dent Sufficient Meat drink and Cloathing during his future Imprisonment in case the said Thomas Dent shall deliver up and Surrender or cause to be delivered up and Surrendered to the Sheriff of the County in whose Custody he is in the Presence

Liber LL, 5 of two Justices of the Peace of the same County, whom the said  
 Acts Sheriff is hereby required to Summon at the Request of the said  
 Thomas Dent at the dwelling Plantation or place of abode of the  
 said Thomas Dent at some convenient time between the third day of  
 November next and the tenth day of December next all his reall and  
 Personall Estate either in Possession Reversion Remainder or in  
 trust or in or unto which he has any claim or Interest whatsoever  
 and do likewise betwixt the days aforementioned Convey Assign  
 transfer and make over unto the Sheriff of the County aforesaid for  
 the use of his said Creditors all such his Estate Interest or Claim as  
 aforesaid after such Manner as by the said Sheriff and the Major  
 Part of the said Creditors or of such of them as shall think fitt to  
 direct therein or their Councill Learned in the Law shall reaseonably  
 devise or require at the cost and charges of such Persons as shall  
 claim the benefitt thereof so as the said Thomas Dent be not Bur-  
 thened with any Warrantys thereby other then from himself and his  
 heirs and those that Claim by from or under him and that the said  
 P. 35 Thomas Dent at the time of such his Surrender and transferring his  
 Estate as aforesaid shall take his Solemn Oath before the two Jus-  
 tices so to be Sumoned as aforesaid to the Effect following. Vide-  
 licet. I Thomas Dent do Solemnly Swear that the goods debts and  
 Effects which I have delivered assigned and made over to the  
 Sheriff of Charles County and in trust for the use of my Creditors  
 is the whole Estate both reall and Personall of my own in Possession  
 or have any Title to in the world (Save such Entailed Lands as I  
 now hold or have any Title to in the right of my wife) and that I have  
 not any Estate goods or Effects of any kind whatsoever left either  
 in Possession reversion or Remainder, the necessary wearing apparell  
 for myself Wife and Children Excepted, and that I have not directly  
 or indirectly sold Leased or otherways Conveyed disposed of or  
 Intrusted all or any Part of my Estate thereby to secure the same  
 to receive or Expect any Profit or advantage thereof So help  
 me God. And also that it shall and may be lawfull for the two  
 Justices aforesaid on application to them made by any of the Cred-  
 itors of the said Thomas Dent (or of their own mere Motion) to  
 Summon or call before them Ann the Wife of the said Thomas  
 Dent (or any Person whatsoever) by them or the Creditors of the  
 said Thomas Dent suspected to Conceal or be Privy to the Con-  
 cealment of any Part of his the said Thomas Dents goods or  
 Effects of any kind whatsoever and them Examine on Oath touch-  
 ing or concerning such Concealment or Suspicion thereof in the  
 best manner they can devise in order to obtain a fair and full  
 Surrender of the same and that in case any such Person shall Refuse  
 to make such Oath that then the said Justices shall and may Committ  
 such Person to Prison that shall refuse to make such Oath untill they  
 shall Comply therewith it shall and may be lawfull for the Sheriff



aforesaid after the end of the said Twenty days, and he is hereby required to discharge the Person of the said Thomas Dent out of his Custody and to Suffer him to go at large and the person of the said Thomas Dent so as aforesaid Discharged out of the Custody of the Sheriff and suffered to go at large shall never any more be lyable to be taken in Execution for or upon the Account of any debts dues or demands of what nature so ever that at the time of making this Act were due from the aforesaid Thomas Dent to any of his Creditors. Provided always and be it Enacted by the Authority aforesaid that notwithstanding the discharge of the Person of the aforesaid Thomas Dent upon taking the Oath aforesaid all and every Judgment now had and taken or that shall hereafter be obtained had and taken against the aforesaid Thomas Dent by any of his Creditors for any debt or debts now oweing and due from him to any of his Creditors shall be and stand good and Effectuall in Law to all Intents and Purposes against the Lands Tenements Hereditaments Goods and Chattles that the said Thomas Dent so discharged as aforesaid shall hereafter acquire and come to the Possession of in his own right only and it shall and may be lawfull to and for the Creditors of the said Thomas Dent so discharged as aforesaid their Executors Administrators or assignes to take out any new Execution against the Lands, Tenements, hereditaments, Goods and Chattles of the aforesaid Thomas Dent (the wearing apparell for himself Wife and Children bedding for himself and family with necessary working Tools for their Occupation or Trade, and what may be necessary for their Subsistence not Exceeding the Value of Ten Pounds Currant money only Excepted) for the Satisfaction of his or their said debts in such sort manner and form as he or they might have done if the Person of the said Thomas Dent so discharged as aforesaid had never been taken in Execution any Act Statute or Custom to the Contrary notwithstanding. And be it further Enacted by the authority aforesaid by and with the advice and Consent aforesaid that in case the said Sheriff shall be sued for any matter or thing required of him to be done by this Act that then the said Sheriff may enter a Common Appearance without speciall Bail to any such action or actions as shall be brought against him and Plead thereto the generall Issue and give this Act or the Exemplification thereof with the speciall matter arising thereon in evidence and that if the Plaintiffs commencing or bringing such action or Actions as aforesaid shall be nonsuit, the defendant or defendants shall recover against him or them double cost of Suit, any Law Statute usage or Custom to the Contrary notwithstanding. And be it further Enacted by the authority advice and Consent aforesaid that the Sheriff aforesaid shall after such delivery up and Surrender as aforesaid give Publick notice at the Churches Courthouses and Mills within the said County of some precise time by him the said Sheriff and the said two Justices to be

Liber LL, 5  
Acts

p. 36

Liber LL, 5 appointed for the distribution of the Effects of the said Thomas  
 Acts Dent not less then twenty Days after the making of the said Surrender and shall then and there in the Presence of two Justices as aforesaid and by their advice and directions make distribution of the Estate of the said Thomas Dent so as aforesaid to be Surrendered delivered up or transferred amongst such of his Creditor only as shall then by themselves or their Attorney or attorneys think fitt to be present at such distribution by an equall and Proportionable distribution thereof to every such Creditor with respect had and in Proportion to the largeness of his or her debt Save that Master John Courts William Hoskins and Ledstone Smallwood three of the Creditors of the said Thomas Dent at whose Suit the said Dent is now in Execution be first allowed and Paid out of the Effects so as aforesaid Surrendered up the Sume of Fourty Pounds Sterling each of them in full of their Claim against the said Thomas Dents Estate and the Residue if any to be distributed as aforesaid the Proceedings of the said Justices and Sheriff in that behalf to be certified to the County Court aforesaid and there lodged for the Perusall of any of the Creditors of the debtor aforesaid that shall require the same and without any fee to be Paid thereon or for such Lodging thereof saving the right of the right honourable the Lord Proprietor his heirs and Successors and of all Bodies Politick and Corporate and all others not mentioned in this Act. Provided nevertheless that in Case the said Thomas Dent or his said Wife shall at any time after the makeing such Oath as aforesaid be convict of willfull and corrupt Perjury thereupon or of a willfull Breach or non Compliance with the tenour of such Oath that then the said Thomas Dent or his  
 p. 37 said wife shall upon such Conviction be adjudged to stand two hours in the Pillory and have his or her left Ear cutt off and shall be wholly deprived of all and Singular the Benefitts designed him by this Law, and shall be thenceforth lyable to be Prosecuted for any debts or damages whatsoever in the same manner as if this Act had never been made any thing herein Contained to the Contrary notwithstanding Provided also that Gerard Fowke and Bennett Hoskins Executor of Oswald Hoskins Executor of Ann Hoskins Executrix of Collonell Phillip Hoskins deceased who are Sureties for the said Thomas Dent on the testamentary Bond of Collonell William Dent deceased be fully released from any future Claim against them or their heirs forever by any of the Children or Legatees of the said William Dent for any Sums of money or other goods or Chattles whatsoever due to them for their filial Portions before the said Thomas Dent shall have any benefitt of this Act. Provided also and it is hereby Declared that the said Thomas Dent shall have no Benefitt of this Act untill he shall pay or secure to be Paid unto Messieurs John Courts William Hoskins and Ledstone Smallwood the Severall Sums before mentioned.

An Act for the Payment and Assessment of the Publick Charge of this Province for this Present Year One Thousand Seven hundred and twenty four.

Liber LL, 5  
Acts  
Acts of 1724,  
ch. 23  
p. 40

Whereas there hath been Three hundred Eighty Seven Thousand Nine hundred and Eighty four Pounds of Tobacco and Five hundred thirty nine Pounds One Shilling and Ten Pence Currant money of Maryland in money laid out and Expended for the Publick Charge of this Province to the thirty first day of October in the year of our Lord One Thousand Seven Hundred and twenty four to the Intent the same may be satisfied and Paid to whom the same is due as by the Journals of the Leavy and Lists of Payment thereto annexed Appears, Be it Enacted by the right Honourable the Lord Proprietor by and with the advice and Consent of his Lordships Governour and the upper and lower Houses of Assembly and the authority of the same that the said Sume of Five hundred and thirty nine Pounds One Shilling and Ten Pence Currant money aforesaid be satisfied and Paid to whom the same is due out of the Publick Stock of money lodged in the Treasurers hands of this Province and that the Tobacco now raised and to be Lodged in the hands of the severall Sheriffs of this Province be applyed and a Leavy or equall assessment of Sixteen Pounds of Tobacco Per Poll be by Virtue of this Act levied and assessed upon the Bodies and Estates of the taxable Inhabitants of this Province and Paid to the severall Persons to whom it is due according to the Journall of Accounts and Disburstments for the necessary Charges of this Province which have been Examined and now Stated and allowed of by this Present Generall Assembly.

An Act for Ascertaining the form of the Oath of Judge or Justice.

Whereas the Oath of Judge or Justice appointed to be taken by the Statute of the Eighteenth of Edward the Third does not in many particulars provide for the Constitution of this Province, nor Suit the Circumstances of any other Proprietary Government and for that the Oath of Judge or Justice proper to be taken in this Province is not Ascertained by any Act of our own

Acts of 1725,  
ch. 1  
p. 41  
(The  
Proprietary  
dissented)  
[Other Acts  
of this  
Session are  
printed in  
Vols. 35 and  
36 of the  
Archives]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governour and the Upper and Lower houses of Assembly and the Authority of the same That at some Convenient time after the end of this present Sessions of Assembly and before the last day of March next the following Oath shall be taken as the proper Oath of Office by all Judicial Magistrates within this Province changing only what is to be changed according to the different Stations of such Magistrates Viz. You shall Swear that as a Justice of the Provincial Court of Maryland in all Articles of his Lordship's Commission to you directed you shall do equal Law and Right to all the Kings Subjects Rich and Poor according to the Laws Statutes and reasonable Customs of England agreeable to the Useage and Constitution of

Liber LL, 5 this Province and to the Acts of Assembly of the same Province and  
 Acts not delay any person of common Right for the Letters of the King  
 the Lord Proprietor, or of any other whatsoever nor for any other  
 Cause, And in Case any Letters shall come to you contrary to Law  
 that you do nothing by them but cause them to be entered on Record  
 and Certifie the King the Lord Proprietor or the Governour for the  
 time being of them and proceed to execute the Law notwithstanding  
 the same Letters That you shall hold your Courts according to the  
 Acts of Assembly and the directions in your Commission That you  
 p. 42 shall do and procure the Profit of the Lord Proprietor in all things  
 where you may lawfully and reasonably do the same And that you  
 shall not debar or hinder the Prosecution of Justice nor take any Gift  
 Bribe or fee for delaying or rendering Judgment but shall behave  
 yourself Justly honestly & faithfully to the best of your knowledge  
 and understanding so long as you shall continue in the said Office So  
 help you God And be it likewise Enacted that the same Oath shall  
 be taken by all Judicial Magistrates that shall be hereafter appointed  
 as their proper Oath of Office to be Administred as hath been hereto-  
 fore used, and that the same be administred to the Magistrates now in  
 being by Vertue and according to the directions of the Several Com-  
 missions Writts of dedimus Potestatem or other Authorities that the  
 late form of their Oath of Office was administred by and that after the  
 last day of March next no Judicial Magistrates be capable of Acting  
 in their respective Stations without having first taken and Contin-  
 uing under the Obligation of the said Oath as their proper Oath of  
 Office in manner a<sup>d</sup> Provided that if the Judge in the high Court of  
 Appeals Provincial Court and Courts of Assize take the said Oath  
 at any time before they proceed to the Judicial determination of any  
 Matters in their respective Courts the same shall be taken as a full  
 Compliance with the Directions of this Act.

Acts of 1725, An Act for the Relief and Release of poor distressed Prisoners  
 ch. 13 for debt.  
 p. 58

(Repealed Be it Enacted by the Right Honourable the Lord Proprietor by  
 by 1726 and with the Advice and Consent of his Lordships Governour and the  
 ch. 5) Upper and Lower houses of Assembly and the Authority of the same  
 p. 59 that the Several and respective Justices in the Several County Courts  
 of this Province be and are hereby impowered Authorized and  
 Required upon the Petition to them preferr'd of any poor Prisoner  
 for Debt to be discharged to call and cause to Come before them or  
 any three of them whereof one to be of the Quorum any debtor or  
 debtors who at any time after the end of this present Session of  
 Assembly shall be actually in Prison or Custody of any Sheriff or  
 Goaler within this province for any Debt or damages or upon any  
 Attachment or Execution or any Process issued or issuing by any  
 legal Authority for any Debt or damages as also the Sheriff or



Goaler in whose Custody such debtors are detained with the cause of such the detainer, before which said Justices or any three of them as af<sup>d</sup> such Prisoner shall take the following oath (or Affirmation if a Quaker) “ I A. B. do upon my Corporal Oath Solemnly profess and declare before Almighty God that I have not any Estate real or personal in possession Reversion or Remainder of the Value of forty Shillings in the whole or Sufficient to pay the debt or damages for which I am imprisoned and that I have not directly or indirectly Sold Leased or otherwise Conveyed disposed of or intrusted all or any part of my Estate thereby to secure the Same to receive or expect any profit or advantage thereof or defraud or deceive any Creditor or Creditors whatsoever to whom I stand Indebted ”

Liber LL, 5  
Acts

Then after the taking such Oath or Affirmation as aforesaid the said Justices as aforesaid shall remand the Prisoner to Prison and shall give a Certificate in writing under their hands and Seals to such Prisoner of his having taken such Oath or Affirmation as aforesaid before them to be served upon or left at the usual place of abode of such person or persons or their Attorneys or Agents in the County or province if not Residents at whose suit such Prisoner standeth charged and imprisoned thereby appointing as well the said person or persons as the said Prisoner to appear before the said Justices at the next Court to be holden for the said County when if it shall appear upon Oath (which Oath the Justices are empowered to administer) the said Certificate was so served or left forty days or more before the said Court and that the said Oath taken by the said Prisoner be not disproved by good and Sufficient Testimony then the said Justices being Satisfied therewith shall direct their warrant under their hands and Seals commanding the said Sheriff Goaler or Keeper of the Prison to sett at Liberty and discharge the said Prisoner if imprisoned for the Causes af<sup>d</sup> and no other without paying any thing for Imprisonment fees which warrant shall be a Sufficient discharge to the same Sheriff Goaler or Keeper of the Prison and no Action of Escape or other action shall be brought against them or any of them for the Same in any wise And forasmuch as some Persons being Prisoners and petitioning as af<sup>d</sup> to be relieved cannot take the af<sup>d</sup> Oath or Affirmation by reason of their having some Estate goods Debts or Effects thó not being Sufficient to pay his or their debts which the Prisoner or Prisoners are willing to yield Surrender and give up to the use of all his Creditors equally to be divided amongst them and shall actually Yield Surrender and give up the Same accordingly pursuant to the directions of this Act in such Case such Prisoner or Prisoners shall take the following Oath or Affirmation to the same Effect. “ I A. B. do Solemnly Swear that the Goods Debts & Effects and Estate which I have delivered up Assigned and made over to A. B. C. D. and E. F. three of the Justices of . . . . . County Court in Trust for the use of my Creditors is

p. 60

Liber LL, 5 the whole Estate whether Real or personal which I have or have any  
Acts Title to in the world and that I have not any Estate Goods or Effects  
of any kind whatsoever left either in Possession Reversion or  
Remainder (the necessary wearing apparell for my self wife and  
Children only excepted) and that I have not directly or indirectly  
sold Leased or otherwise conveyed disposed of or intrusted all or any  
part of my Estate thereby to Secure the same to receive or expect  
any profit or advantage thereof " And shall and may be lawfull for  
any such person or persons as aforesaid that shall be actually in  
Prison for any of the Causes and in manner as af<sup>d</sup> at the next County  
Court to be held for the County where such Debtors are in Prison  
to Surrender up Assign in Trust and give an Account upon Oath to  
the Justices of the said Court or any three of them as aforesaid of all  
his Estate Real and personal according to the oath herein before  
prescribed and declare his willingness to part with the same to be  
equally divided amongst his or their Creditors towards Satisfaction  
of their debts upon which Surrender it shall and may be lawful to and  
for the said Justices or any Three of them as aforesaid and they are  
p. 61 hereby impowered and required to cause notice to be given in manner  
as before mentioned to all his or their Creditors to appear before the  
said Justices at the next County Court to be held for that County  
there to see such debtors Estate to be Inventoried Appraised & Val-  
ued and render an Account to the said Justices of their debts due  
from such debtors and after such appraisalment the said Justices are  
hereby impowered to sell the same by way of Auction or otherwise  
as to them shall seem meet and the money or Tobacco arising by such  
Sale equally to be divided by an equal proportion in the pound  
amongst all the Creditors of such Debtors and that immediately upon  
the Surrender up of the said debtors Estate as af<sup>d</sup> to the said Justices  
the Body of such Debtor shall be discharged out of Prison and from  
thenceforth be for ever free and clear from such Arrest for any Debt  
by them Contracted before that time and that the Sheriff in whose  
Custody such Debtors are or shall be at the time of the Surrender  
shall not keep or detain any such debtors in Prison for any fees or  
debt to them owing but shall be paid their debts or fees to them due  
proportionably as other Creditors, and the said Justices are hereby  
impowered to discharge such debtors out of Custody as aforesaid  
by warrant under their Hands and Seals or the hands and Seals of  
any Three of them as af<sup>d</sup> which warrant they are hereby required to  
give to such Debtors or Prisoners without any fee or Reward save  
only a small fee by the said Justices to be appointed and allowed  
to be paid to the Clerk of the County Court for entring the Jus-  
tices proceedings thereon

And be it further Enacted by the Authority Advice and Consent  
aforesaid that all and every Sale or Sales that shall be made by the  
said Justices as aforesaid of such Debtors Estate as aforesaid shall

be good and valid in Law and barr the Debtor and his or their heirs and all others claiming under them to all Intents Constructions and purchases whatsoever And be it further Enacted that no Prisoner shall be discharged out of Prison untill he shall declare upon Oath or Affirmation as aforesaid before the Justices as aforesaid what Debts are owing to him or them to the best of his or their Remembrance a schedule whereof shall be made by the said Justices or Clerk of the County Court and the Creditors or such of them as will Joyn shall be and are hereby Impowered to sue for the same in the Prisoners name saving him harmless from all Cost and Damages and after Recovery of all or any such debts they shall be by the said Justices applied towards Satisfaction of such Creditors who sued or was at the Charge of the recovering the same Provided nevertheless and it is the true Intent and meaning of this Act that if any Person or Persons not having wife or Children of his own to maintain being Prisoners as aforesaid and petitioning to be relieved by this Act shall be of a handy craft Trade and of ability of Body to follow the same or having no Trade yet is otherwise of strength and Ability of Body to labour and that either their Creditors are willing to accept of their Service in Satisfaction of their debts or part thereof to be divided amongst the Creditors as af<sup>d</sup> or that any other person will accept thereof and discharge them from the Creditors for any Length of time not exceeding five years every such person refusing to make Satisfaction to their Creditors by Servitude in manner aforesaid shall not be allowed to reap any advantage by this Act any thing therein Contained to the Contrary in any wise notwithstanding Provided likewise and be it Enacted by the Authority Advice and Consent af<sup>d</sup> that notwithstanding the Discharge of the Persons of the Prisoners aforesaid upon taking either of the Oaths af<sup>d</sup> (excepting such as shall make Satisfaction to their Creditors by Servitude) all and every Judgment now had and taken or that shall hereafter be obtained had and taken against any of the aforementioned Prisoners by any of their Creditors for any Debt owing and remaining due from any of them to such their Creditors after such Surrender and Distribution made as aforesaid shall be and stand good and effectual in Law to all Intents & purposes against the Lands Tenements and Hereditaments Goods and Chattels that the said several Prisoners so discharged as af<sup>d</sup> shall hereafter acquire and Come to the possession of & in their own right only And it shall and may be lawful to and for the Creditors of the said Several Prisoners so discharged as af<sup>d</sup> their Executors Administrators or Assigns to take out any new Execution against the Lands Tenements Hereditaments Goods and Chattells of the Prisoner or Prisoners af<sup>d</sup> (his or their wearing apparrell Bedding for his or their family and Tools necessary for his or their Trade or occupation and what may be necessary for their Subsistance not exceeding the

Liber LL, 5  
Acts

p. 62

Liber LL, 5 Value of Ten pounds Current money only excepted) for the Satisfaction of the Remainder of his or their said debt in such sort  
 Acts  
 p. 63 manner and form as he or they might have done if the person or persons of the said several Prisoners so discharged as aforesaid had never been taken in Execution any Act Statute or Custom to the Contrary notwithstanding.

And be it further Enacted by the Authority Advice and Consent aforesaid that in Case the sheriff or any other person concerned in the Execution of this Act shall be sued for any matter or Thing required of them or either of them to be done by this Act that then the said Sheriff or other person whom it may Concern may enter a common appearance without Special bail to any such Action or Actions as shall be brought against them or any of them and plead thereto the General Issue and give this Act and the Special matter therein in Evidence and that in case the Plaintiffe or Plaintiffs Commencing and bringing such Action or Actions as aforesaid shall be nonsuited have a Verdict pass against him or discontinue his Action the Defendant shall recover against him or them double Costs of Suit any Law Statute Useage or Custom to the Contrary notwithstanding. Provided nevertheless that in Case any of the Prisoners as aforesaid shall at any time after the making such their Oath or Oaths as aforesaid be Convict of wilfull & corrupt perjury thereon or of a wilfull breach or non Compliance with the Tenor of such Oath that then such of the aforesaid Prisoners as shall be Convict as aforesaid shall upon such Conviction be adjudged to stand two hours in the Pillory and have his or their left Ear cut off and shall be wholly deprived of all and singular the Benefits designed them by this Act and shall be thenceforth lyable to be prosecuted for any Debt or Demands whatsoever in the same manner as if this Act had never been made any Thing therein Contained to the Contrary notwithstanding.

Acts of 1725, An Act to restrain the ill practices of Attorneys and to prevent their  
 ch. 14 taking money fees and Ascertainning what fees shall be allowed  
 p. 64 to practitioners in the Law who shall attend the Circuit Courts.  
 (Repealed  
 by 1725,  
 ch. 22)

Whereas the Sundry Laws that have been heretofore made to restrain the Evil practices of Attorneys and to Ascertain their Tobacco fees in the Several Courts of this Province have been found ineffectual insomuch that Complaints are made from Sundry parts of this province of the Exorbitant fees taken by Councillors at Law Chamber Councill Barristers Attorneys and other practitioners & Advisers in the Law to the great damage and Aggrievance of the good people of this province and impoverishing themselves and families all which this General Assembly hath taken into their most Serious Consideration and for prevention thereof do pray that it may be Enacted And be it Enacted by the Right Honourable the



Lord Proprietary by and with the Advice and Consent of his Lordships Governour and the Upper and Lower houses of Assembly of this province and the Authority of the Same that from and after the End of this present Session of Assembly it shall not nor may be Lawfull for any Councillor or Councillors Attorney or Attorneys or any other person or persons of what denomination soever in the Law to ask demand Take or receive on any pretext or pretence whatsoever any Greater or other fee or fees Gratuity or Gratuities Gift or Gifts present or Reward whatsoever either by himself or any other person for his use for Councelling Commencing Adviseing Prosecuting and bringing to final Judgement agreement or other End thereof any Cause whatsoever to be prosecuted or Impleaded in any Court or Courts as af<sup>d</sup> other that such fees as are hereafter Enumerated (that is to say) For bringing prosecuting or defending any action of what nature or Quality soever to final Judgement Agreement or other End thereof in the Several County Courts the sum of one hundred pounds of Tobacco unless the principle Debt or Damage or Ballance of any Debt and Damages Sued for and Recovered do Exceed the Sum of two thousand pounds of Tobacco or ten pounds Sterling that then the said Attorney shall have two hundred pounds of Tobacco and no more To the Clerk of Indictments for prosecuting any Criminal in the County Courts on any presentment if the party presented confess his Crime the Sum of One hundred pounds of Tobacco but if the Clerk of Indictments draws a bill of Indictments on the said presentm<sup>t</sup> and the party therein presented traverses such presentment or Bill of Indictment and puts himself upon the Countrey for Tryal thereof then the Clerk of Indictments shall have two hundred pounds of tobacco for his fee and no more And to any Attorney or other person practicing the Law in the Provincial Court of Chancery Commissarys Court Court of Vice Admiralty or for prosecuting or Defending any Appeals writts of Error or any other matter or thing whatsoever before his Excellency the Governour and Councill the several Sums hereafter Expressed and set down to witt for prosecuting or defending any Cause plaint or Action of what nature Soever in the Provincial Court to final Judgment Agreement or other end thereof the sum of four hundred pounds of Tobacco for any fee in the high Court of Chancery and Court of Vice Admiralty Six hundred pounds of Tobacco ffor any fee in the Commissarys Court four hundred pounds of Tobacco ffor any fee upon any writt of Error or Appeal which shall be brought before his Excellency the Governour and Councill Six hundred pounds of Tobacco ffor drawing Petition pleading or defending any Cause before the General Assembly the Sum of four hundred pounds of Tobacco. If a bill drawn and Engross'd thereon then two hundred pounds of Tobacco more, for pleading or defending any Cause matter or thing before his Lordship's Agent or Judge in

Liber LL, 5  
Acts

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Liber LL, 5 Land Affairs the Sum of Three hundred pounds of Tobacco To his  
 Acts Lordships Attorney Generall for any Action in the provincial Court  
 at the Suit of his Lordship by Indictment presentment or Information  
 the Sum of four hundred pounds of Tobacco And be it further  
 Enacted by the Authority Advice and Consent aforesaid that it shall  
 not nor may be lawful for any Attorney practitioner Councillor or  
 Adviser in the Law whatsoever from and after the end of this present  
 General Assembly to advise Sue for prosecute defend or implead any  
 person or persons whatsoever in any Action or Actions in any of the  
 Courts or Jurisdictions of this province unless he or they do first  
 p. 66 apply him or themselves to such Court or Courts Jurisdiction or  
 Jurisdictions where such Action or Actions are to be prosecuted  
 defended or impleaded and then & there take the following Oath  
 which Oath the Justice or Justices or any other Judge or Judges  
 of the Several Courts or Jurisdictions are hereby Impowered and  
 required to administer before they admit such Attorney or Attorneys  
 or other person practicing the Law to plead before them Saving the  
 several Rights and priviledges of the Inhabit<sup>nts</sup> of the City of An-  
 napolis by vertue of her late Royal Majestys Charter Granted  
 them. Oath of an Attorney " You A. B. shall Swear you will do no  
 falsehood nor deceit nor Consent to any to be done in this Court  
 and if you know of any to be done you shall give knowledge thereof  
 to the Chief Justice of this Court that it may be informed you shall  
 delay no man for Lucre or Malice you shall increase no fees nor  
 receive any fee by your Selfe or any other either in Money Sterling  
 Bills of Exchange Current money Tobacco or by any other means  
 whatsoever either as an Attorney Chamber Councillor Councillor at  
 Law Barrister or under any other Denomination of the Law whatso-  
 ever for Adviseing Titling drawing Declaration pleading General or  
 Special Retainer or any other Service whatsoever in the Law done had  
 or advised to be done or had for the Services af<sup>d</sup> or thereto in any wise  
 Relating in any of the Courts of Record Court of Chancery or other  
 Court or Courts Jurisdiction or Jurisdictions established in this  
 province any Greater or other ffee Gift Gratuity or Reward than  
 such fee or fees as are established and Enumerated by an Act of  
 Assembly entituled an Act to restrain the Evill practices of At-  
 torneys and to prevent their taking money fees and to Ascertain  
 what fees shall be allowed to practitioners in the Law who shall attend  
 the Circuit Courts but be Contented with the fees limited by Law  
 you shall plead no foreign plea nor Sue any foreign Suits unlawfully  
 to hurt any man but such as shall stand with the order of the Law and  
 your Conscience you shall not wittingly nor willingly sue nor pro-  
 cure to be sued any false suit nor give Aid or Consent to the same  
 p. 67 on pain of being Expulsed from the Court for ever and further you  
 shall use and demean yourself in the office of an Attorney within

this Court according to your Learning & discretion So help you God." And be it further Enacted by the Authority advice and Consent aforesaid that any person or persons Inhabitants of this province who from and after the End of this present Sessions of Assembly shall have occasion to advise with any Attorney or Attorneys Councillor or Councillors in the Law whatsoever or to Commence prosecute or implead any person or persons whatsoever in any Action or Actions or to defend him her or themselves from any Action or other process whatsoever before any Court or Courts Jurisdiction or Jurisdictions of this province the plaintiff at the return of such writt shall be obliged to take the following Oath or Affirmation (if a Quaker) prescribed by this Act before the Court to which such writt is returnable or before some Justice of the peace for the said County or the County Court where such Plantiffe doth reside and to return a Certificate of the same to the said Court and in Default thereof shall suffer a non suit if the Defendant appears or if no appearance it shall and may be lawfull for such Court to discontinue the process And in Case the Defendant on the return of such writt if he shall appear doth not take the same Oath before the Court or produce a Certificate of his having so done before some Magistrate as aforesaid the Plantiffe having complied with his part it shall and may be lawfull for the Justices of the Several Courts within this province on the Plantiffe his making appear his Claim to give Judgment against such Defendant as by Default for such Debt Damages and Costs as to them shall seem meet. Oath of Plantiffe and Defendant. " You A. B. do swear that you have not given caused to be given or paid nor will Give cause to be Given or pay either directly or indirectly unto your Attorney or Attorneys Councillors or Advisers in the Cause now depending in the Court between you and C. D. or to any other person whatsoever for the use of your s<sup>d</sup> Attorney or Attorneys Counsellors or advisers any other or larger fee or fees Gratuity or Reward either for Advice in the said Action or any other Services thereto relating than they are allowed to take by an Act of Assembly Entituled an Act to restrain the Evil practices of Attorneys and to prevent their taking money fees and to Ascertain what fees shall be allowed to practitioners in the Law who shall attend the Circuit Courts according to the best of your knowledge So help You God "

Liber LL, 5  
Acts

p. 68

A Certificate of such person or persons having taken such Oath or Oaths or Affirmation (if a Quaker) or Plantiffe or Defendant the Magistrate before whom such Oath or Oaths or Affirmation (if a Quaker) shall be taken is hereby required to transmitt to the Sheriff of the County who is hereby Commanded at the time of the return of his writts to deliver the said Certificate or Certificates to the Clerk of the County to be presented to the Justices who are hereby required to

Liber LL, 5 Cause the said Certificate or Certificates to be entered on Record  
 Acts and the Judge or Justices of any Court or Courts Jurisdiction or Jurisdictions of this province are hereby required not to Suffer any Cause or Causes to be prosecuted or impleaded before them before the several Oaths or Affirmations (if a Quaker) appointed by this Law for Attorneys Plaintiff & Defendant have been taken before them or Certificates thereof returned as aforesaid.

And be it further Enacted by and with the Authority Advice and Consent aforesaid that all and every Clause or Clauses Article or Articles mentioned in any Act of Assembly of this province heretofore made relating to the Ascertaining and limiting of Attorneys fees only be and are hereby declared to be repealed Abrogated and made Void to all Intents Constructions and purposes Provided that this Act nor any thing therein Contained shall Extend nor be construed to extend to hinder any persons resident beyond the Seas or in any of the neighbouring provinces or Collonies being Plantiffe or Defendant in any action hereafter to be Commenced (who are not actually in this province or Represented by their Agents or Attorneys in fact at the time of Commencing such Actions) from prosecuting or defending their action aforesaid without being tyed down to the taking the Oath or Affirmation (if a Quaker) or Plantiffe or defendant aforesaid anything in this Act to the Contrary notwithstanding

p. 69 And be it further Enacted by the authority advice and Consent aforesaid that the several Attorneys practicing the Law who shall hereafter in person attend the Circuit Courts within this province shall be allowed to take and receive as a fee for prosecuting or Defending any Cause in such Court of Assize to final End Agreement or other determination thereof the Sum of four hundred pounds of Tobacco over and above the fees before by this Act limited for prosecuting an Action in the provincial Court any thing in this Act to the contrary in any wise notwithstanding Provided nevertheless that in Case any person shall ask advice of any Attorney or other person whatsoever in order to the prosecuting any Action or Suit whatsoever if no action be Commenced on such advice or action not defended by such Attorney it shall and may be lawfull for such Attorney it shall and may be lawfull for such Attorney or other person to take as a fee for such Advice one hundred pounds of Tobacco or Ten Shillings Current money at the Election of the party asking Advice to be paid at the usual tobacco Seasons and no more under the pain and penalty of five thousand pounds of Tobacco to be recovered before the Court where such Action arises in a Sumary way And be it further Enacted by the Authority Advice and Consent aforesaid that no person or persons whatsoever practicing the Law within this province or other person within the purview of this Act shall presume to take or receive of any person whatsoever in lieu of the tobacco fees by this Act limited more than the Sum of Ten Shillings Current money p hun-



dred under pretence of Selling their fees to their Several Clyents or Employers or under any other Colour or pretence whatsoever This Act to Continue for three years and untill the End of the next Sessions of Assembly which shall happen after the Expiration of the said Three years.

Liber LL, 5  
Acts

An Act for the payment and Assessment of the publick Charge of this Province for this present Year One Thousand Seven hundred and Twenty five.

Acts of 1725,  
ch. 15  
p. 70

Whereas there hath been five hundred forty eight thousand two hundred and twelve pounds of Tobacco and Six hundred and forty three pounds fifteen Shillings and four pence in Money laid out and expended for the publick Charge of this province to the third day of November in the year of our Lord Seventeen hundred and twenty five to the Intent the same may be Satisfied and paid to whom the same is due as by the Journal of the Committee for laying the publick Levy and Lists of payments thereto annex'd appears Be it Enacted by the Right Honourable the Lord Proprietor by and with the Advice and Consent of his Lordships Governour and the Upper and Lower houses of Assembly and the Authority of the same that the said sum of Six hundred and forty three pounds fifteen Shillings and four pence money aforesaid be Satisfied and paid to whom the same is due out of the publick Stock of money lodged in the Treasurer's hands of this province and that the Tobacco now raised and to be lodged in the hands of the Several Sheriffs of this province be applyed and a Levy or equal Assessment of Twenty two pounds of Tobacco p Poll be by Vertue of this Act levyed and Assessed upon the bodies and Estates of the Taxable Inhabitants of this Province and paid to the Several persons to whom it is due according to the Journal of Accounts & Disbursements for the necessary Charges of this province which have been examined and now Stated and allowed of by this present General Assembly.

An Act for the Naturalization of Michael Ury of Prince Georges County a Greek.

Acts of 1725,  
ch. 16  
p. 71

Be it Enacted by the Right honourable the Lord Proprietary by and with the advice and Consent of his Lordships Governour And the upper and Lower houses of Assembly and The Authority of the Same That Michael Ury of Prince Georges County a Greek and his Children now Residents in this Province (he the said Michael having already taken the Severall Oaths to the Governm<sup>t</sup> And Subscribed the Oath of Abjuration and Test) shall from henceforth be adjudged reputed and Taken as naturall born Subjects within this province And by Virtue of this Act may be Enabled And Adjudged to all Intents and purposes to Demand Challenge Ask have and Enjoy

Liber LL, 5  
Acts any Lands Tenements Rents or Hereditaments whatsoever to which they might be any ways Entitled as if they had been naturall Born Subjects within This province and be Enabled to maintain prosecute avow Justifie and Defend all and all manner of Action or Actions Real or personall Suits plaints pleas and other Demands whatsoever as Liberally frankly freely fully Lawfully and Effectually to all Intents and purposes as if they had been naturall born Subjects

Acts of 1725,  
ch. 17  
p. 72 An Act to Enable Orlando Griffith and Katherine His wife to sell the Moyetie or half part of a Certain tract of Land hereafter mentioned and for Intailing other Land in Lieu thereof.

Whereas the said Orlando Griffith and Katherine his wife by their pet<sup>o</sup> to this Generall Assembly have sett forth That a Certain John Howard of Ann Arundell County Dec<sup>d</sup> by His Last will and Testament Did among other Bequests therein Give to his Two Daughters Rachel Howard and Katherine Howard all That Parcell of Land Called Howards Timber Neck Lyeing att the mouth of Whetstone to be Equally Divided Betwixt them During their naturall Lives and to the Lawfull Begotten Heirs of their Body's And for want of such heirs To fall to his Son Benjamin Howard and his heirs and Assigns for Ever which said Katherine Howard in the Bequest af<sup>d</sup> is the now wife of the said Orlando Griffith and by whom He has Issue which said Tract of Land was Originally Laid Out for two Hundred acres but upon Inspection had it's found that it does not Contain that Quantity within The bounds thereof but if the said Catherine had the quantity Designed her it is but one hundred acres which the said Orlando Griffith and Katherine his wife by their said pet<sup>o</sup> Alledges is too small to make a Convenient Settlement or To Induce them to Lay out much money in the Improvement Thereof and the said Orlando Griffith and Katherine his wife by Their said pet<sup>o</sup> further sett forth that a Certain Charles Ridgely who has Intermarried w<sup>th</sup> the af<sup>d</sup> Rachel Howard in The Bequest aforesd Mentioned to whom the Other Moyetie or half part of the Land af<sup>d</sup> is given Is Settled on her the said Rachel's part of The said Land and is Desirous to buy the Other part thereof belonging To the said Orlando Griffith and Katherine his wife Provided they Could Obtain An Act to pass in their favour To Cutt of the Intaile Af<sup>d</sup> so far as Relates to their part of the Land af<sup>d</sup> And The said Orlando Griffith and Katherine his wife Likewise Sett forth by their said pet<sup>o</sup> that in Order to Obtain

p. 73 which Act they are willing that there should be Intailed by the said Act one hundred Acres of Land in The same Maner as The Other Land af<sup>d</sup> Is Intailed Out of the Vacancie added by the said Orlando Griffith to a Certain Tract of Land Given By The af<sup>d</sup> John Howard Likewise under Intaile To the af<sup>d</sup> Katherine wife of The said Orlando Griffith Called Howards Luck which as the said Orlando

Griffith and Katherine his wife by their said pet<sup>o</sup> Sugest will be farr more advantageous To all Persons Claiming under the Intaile of the Tract of Land Called Howard's Timber neck aforesaid. And for as much as the Truth of the premises is Sufficiently Testified to This present Generall Assembly And also that the One hundred Acres of Land af<sup>d</sup> so as af<sup>d</sup> proposed to be added to Howards Luck af<sup>d</sup> Is of much more Value then the Moyetie or half part Of howards Timber neck af<sup>d</sup> So that the Intent of the Devisor to promote the Lawfull Issue of the af<sup>d</sup> Katherine and all others Claiming under the Bequest af<sup>d</sup> will in all probability be more Effectually Complied with by Granting the Request of the said Orlando Griffith and Katherine his wife. It is therefore humbly prayed that it may be Enacted And Be it Enacted by the right hon<sup>ble</sup> the Lord Proprietor By and with the advice and Consent of his Lordships Gover<sup>r</sup> And The upper and Lower Houses of Assembly and The Authority of The same that the said Katherine and the Lawfull Begotten Heirs of her Body and for want of such Heirs Benj<sup>a</sup> Howard His heirs and assigns for Ever shall from Hence forth by Virtue of this Act have the Same Estate Right Title and Interest of in and unto One hundred Acres of Land Out of the vacancy Added as af<sup>d</sup> by The said Orlando Griffith to the af<sup>d</sup> Tract of Land Called Howards Luck Lying in Ann Arundell County in the possession of the said Orlando Griffith now Being as she The said Katherine and Her Lawfull Begotten Heirs and the said Benj<sup>a</sup> Howard his heirs and Assigns should or Ought to have had in Case the said One Hundred Acres of Land had Been Devised in The same manner that the Devisor hath Devised the af<sup>d</sup> Tract of Land Called Howards Timber Neck by his said will and in Case The said One hundred acres had been Devised as af<sup>d</sup> in Lieu of The said Katherine's moyetie or half part of Howards Timber Neck af<sup>d</sup>

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And be it Likewise Enacted by the Authority Advice and Consent af<sup>d</sup> that the said Orlando Griffith and Katherine his wife be hereby Vested with an Absolute Estate of Inheritance in fee Simple of in and unto the Aforementioned Moyetie or half part of Howards Timber neck af<sup>d</sup> Given as Af<sup>d</sup> To the said Katherine and be as they hereby are Enabled to Convey An absolute Estate in fee Simple thereof to any purchaser or purchasers Their Heirs Or Assigns in as full And ample manner as if the same Land had been Devised to The said Katherine and her Heirs for Ever by the will of the said Devisor without any Limitation of Estate therein Any thing in The said will or any Law Statute Usage or Custom to the Contrary notwithstanding Saveing to his most Sacred Majesty his heirs and Successors and to the Right Hon<sup>ble</sup> the Lord pröpry his heirs and Successors and all Bodies Pollitick and Corporate and all others not mentioned In this Act their Severall and Respective Rights.

Liber LL, 5 An Act to Enable Jn<sup>o</sup> Speak Jun<sup>r</sup> of Cha<sup>s</sup> County To Confirm a  
 Acts Tract of Entailed Land Lying in Prince Georges County Called  
 Acts of 1725, Plymouth unto the purchasers thereof And to Entaile Certain  
 ch. 18 Lands in Cha<sup>s</sup> County in Lieu Thereof  
 p. 75

Whereas John Wheeler of Cha<sup>s</sup> County in the province of Maryland Gent. by his Certain Deed of Gift in Frank—Marriage bearing date the Eleventh Day of Aug<sup>t</sup> in the year Of Our Lord One Thousand Six hundred and Eighty five Duely Enrolled in the Records of Cha<sup>s</sup> County On Consideration Of the fatherly Love and naturall Affection which he Did bear to his born Daughter Winifred the wife of Jn<sup>o</sup> Speak of the same County did give Grant & Confirm unto The said John Speak & Winifred his wife A Certain Tract Of Land Lying in Cha<sup>s</sup> County but since Included within The bounds of Prince Georges County Called Plymouth Containing Three hundred & fifty Acres more or Less with the Limitation following.

To have and to hold the said Parcell of Land and all & Singular the premises before Given granted And Confirmed with Their & Every of their Rights Members And Appurtenances whatsoever to the Only Proper Use & behoofe of him the said John Speak and Winifred his wife & the Heirs of her Body Lawfully begotten for ever & in Case The heirs of the af<sup>d</sup> Winifred wife of the Af<sup>d</sup> Jn<sup>o</sup> Speak shall Dye before they Come to age to Enjoy & Possess the said parcell of Land then the said Parcell of Land & all & Singular the Premises with the Appurtenances shall return to the s<sup>d</sup> Jn<sup>o</sup> Wheeler & his heirs And Whereas John Speak Jun<sup>r</sup> of Cha<sup>s</sup> County who is Son and heir att Law of The Af<sup>d</sup> Jn<sup>o</sup> Speak and Winifred his wife by his humble petition to this Present Generall Assembly hath sett forth that On the twenty fourth day of November in the year of Our Lord One Thousand Seven Hundred & Eighteen he sold unto a Certain Joseph Newton of Prince Georges County Merch<sup>t</sup> part of the Af<sup>d</sup> Tract of Land Called Plymouth with warrentee & Since the remaining part of the said Tract to a Certain John Cade of the Same County millwright with warrentee Likewise in both which Sales the said petitioners father and mother Joyned they Haveing a right therein for Life as by the  
 p. 76 before recited paragraph of The Deed af<sup>d</sup> appears since which Sales upon a more narrow Scrutiny into the Afores<sup>d</sup> Deed It was found that the said Land was Entailed On the said Petitioners Mother & the heirs Of her Body for Ever & that Notwithstanding the petitioner hath a Bond with Sufficient penalty from Newton One of the Purchasers that he shall be Content with such warranty as is Contained in the Deed of Sale to him made and not Trouble any of the petitioners heirs in any matter whatsoever touching The premises untill he or his heirs shall be Interrupted or Hindred in The Lawfull possession of The same Lands by Means or procurement of the petitioner or his heirs yet for as much as the petitioner is Apprehensive his



heirs may hereafter be Involv'd in some trouble Some Law Suit by Cade the other purchaser or both of them and being willing to Obviate as Much as in him Lyes any future Evil that may be Occasioned by means of the Intaile & Sale Afores<sup>d</sup> And Further that he is willing to Settle Other Lands in Cha<sup>s</sup> County of Equall or Greater Value in Lieu thereof on the same foot and in the Same or any Other Manner as shall be directed and that the petitioners father & Mother have Signified their Free Consent thereto & hath therefore prayed Leave to bring In a Bill to Cutt of the Entaile af<sup>d</sup> On the Condition af<sup>d</sup>

Liber LL, 5  
Acts

And forasmuch as the Truth of the premisses is Sufficiently made appear to this present General Assembly And also that the Lands proposed to be Settled in lieu thereof are of Greater Value then the Intailed Land aforementioned so that the Intent of the Donor to promote the Lawfull Issue Of the aforementioned Winifred will in all probability be more Effectually Complied with It is therefore prayed that it may be Enacted And be it Enacted by the right Hoñble The Lord Prop<sup>r</sup> by and with the Advice & Consent of his Lords<sup>ps</sup> Governour and the upper and Lower houses of Assembly and The Authority of the Same that the Af<sup>d</sup> John Speak Jun<sup>r</sup> be & is hereby Empowered to Sell Assigne transfer make Over & Confirm unto the said Joseph Newton & John Cade by Deed of Sale a Good & Sufficient Estate in fee Simple of in and to the abovementioned tract of Land Called Plymouth in as full And ample Manner To all Intents p. 77 Constructions and purposes as if the same by the Aforementioned Deed had been Given to the said John Speak & Winifred his wife And their heirs for Ever without any Limitation in The said Deed any thing in the said Deed to the Contrary notwithstanding. Provided always that at the same Time the said John Speak Jun<sup>r</sup> or his heirs shall & Do make Over & Convey unto The said John Speak and Winifred his wife by Good & Sufficient Conveyance with Generall Warrantee two tracts Or parcells of Land Lying In Charles County the One Called Allisons Supply Lying On the South Side of Chickamuxon Creek Containing by Estimation two hundred acres The Other Called Mackeys Park Lying on Chickamuxon Creek adjoining on the af<sup>d</sup> Tract Containing by Estimation two hundred Acres according To the meets and bounds Thereof & now in the Tenure & occupation of the said John Speak Jun<sup>r</sup> & under the same Limitation and restitutions as the Af<sup>d</sup> tract of Land Called Plymouth By the Deed af<sup>d</sup> was Subjected to And be it Enacted that The said John Speak & Winifred his wife and the heirs of her Body Lawfully Begotten for Ever & in Case the Heirs of the af<sup>d</sup> Winifred wife of the af<sup>d</sup> John Speak shall Dye before they Come to Age to Enjoy the said two tracts of Land abovementioned Then the af<sup>d</sup> John Wheeler & his heirs be and are hereby Vested with the same Estate in & to the af<sup>d</sup> two Tracts Or Parcells of Land lying in Cha<sup>s</sup> County as Af<sup>d</sup> the

Liber LL, 5 One Called Allison's Supply Containing two hundred Acres the Other  
 Acts Called Mackeys Park Containing likewise two hundred Acres According to the meets and bounds thereof & now in the tenure and Occupation of the said John Speak Jun<sup>r</sup> when so made Over & Convey'd as af<sup>d</sup> as was Given & Conveyed Or Intended to be Given and Conveyed in the Af<sup>d</sup> Tract of Land Called Plymouth In the same manner as if the af<sup>d</sup> two Tracts or parcells of Land Containing four hundred Acres & all & Singular The premises whatsoever had Been Given to the said John Speak & Winifred his wife & the Heirs of her Body Lawfully Begotten for Ever & in Case the Heirs of the af<sup>d</sup> Winifred wife of the af<sup>d</sup> Jo<sup>n</sup> Speak shall Dye before they Come to age to Enjoy and possess the said two tracts or parcells of Land Then the said two Tracts & parcells of Land & all and Singular The premises w<sup>th</sup> the Appurts shall Return to the said John Wheeler & his heirs by the Deed of the said Wheeler Saving to Our Sovereign Lord the King his heirs and Successors The Right Ho<sup>n</sup>ble the Lord Prop<sup>ty</sup> his heirs and Successors and all Body's Pollitick & Corporate & all others not mencōned In this Act their Severall & respective Rights.

Acts of 1725, A Supplementary Act To an Act Empowering Certain Trustees  
 ch. 19 to Sell a Tract of Land In Talbott County called Frankford Saint  
 (Amends Michael Late The Estate of Inheritance of William Harris Late  
 1708, ch. 11) of Calvert County and with the money thereby Ariseing to purchase Other Lands for the use of Joseph Harris and Benjamin Harris Sons of the said William Harris And the Heirs of their bodys According to the Directions of the Last will and Testament of the said William Harris.

Whereas by An Act of Assembly of this province made in December Assembly Anno Domini Seventeen Hundred and Eight for the purposes in the Title above mentioned a Certain Richard Johns John Hance and George Harris of Calvert County or any two of  
 p. 79 them Together with the said Joseph and Benjamin Harris were Authoriz'd and Impowered to Sell and Dispose of the said Tract of Land called Frankford Saint Michaels In the manner therein and Thereby Directed to the uses And for the purposes therein Mentioned with a proviso That the said Richard, John, George, Joseph, and Benjamin Harris or any Three of Them should Enter into Recognizance in three Hundred pounds Sterling for the due Application of the money to the uses in that Act Mentioned and Intended and whereas a Deed of Sale was Duly made and Executed of the said Lands According to the true Intents and meaning of the said Act unto Samuel Dickenson his heirs and Assigns for Ever for the Consideration of One hundred and fifty Pounds Sterling Therein mentioned and Duly paid But that altho' Richard Johns George Harris

Joseph Harris and Benjamin Harris (The said John Hance Being Dead) were made parties to the said Deed of Sale It was Only Executed by the said George Joseph and Benjamin who Duly Acknowledge the same as Appears by the said Deed Duly Recorded in Talbott County Records but This not being a Strict Compliance with the said Act for want of the said Richards Executing the same And Whereas Such Recognisance has Been Given as the said Act required and all other previous requisites performed Except Thro' the want of One of the Trustees to the Executing the same Deed the said Samuel Dickenson and Benjamin Harris (the said Joseph being Dead Since he proceeded to the Obtaining This relief), have humbly prayed Remedy and that It may be Enacted.

And be it Enacted by the Right honourable The Lord Proprietary by and with the advice and Consent of his Lordships Governour and the upper And Lower Houses of Assembly and by the Authority of the same That the said Deed of Sale Expressed to be made between Richard Johns George Harris Joseph Harris and Benjamin Harris of Calvert County in the province Of Maryland Planters Of the One Part and Samuel Dickenson of Talbott County within the same Province Merchant of the Other part Dated the thirteenth Day of July Anno Domini Seventeen hundred and Twenty whereby Reference is had to the Act of Assembly Aforesaid And part Thereof Recited in the Said Deed and whereby the Lands Aforesaid Are mentioned to be Sold for the Consideration Aforesaid By the said Richard George Joseph and Benjamin To the said Samuel being mentioned and Endorst to be Recorded in the records of Talbott County in Liber R: F. N<sup>o</sup> D. folio 411, 412 by Foster Turbutt Clerk be and is hereby made Good Valid and Effectuall in Law to all the Intents and Purposes in the said Deed Exprest In as full and Ample Manner in all respects as if the said first mentioned Act had been Duly Complied with and the said Deed Duly Executed by the Severall parties which by the said Act were Empowered to sell the Lands therein mentioned So as to Invest The said Samuel and his Assigns with a fee Simple therein According to the True Intent and meaning Of the said first mentioned Act Any Defect in the Selling Or Conveying the Same Or In the Deed Or in the Execution or Acknowledgement thereof Or any Other Law or Statute to the Contrary in any wise Notwithstanding Saving to his most Sacred Majesty and the Right Hon<sup>ble</sup> the Lord Proprietary their heirs and Successors and all bodies Pollitick and Corporate and Others not named in this Act their Just rights.

An Act for the Relief of James Moore of Baltemore County.

Whereas James Moore of Baltemore County By his humble petition to this Assembly hath Sett forth That Thomas Roberts Late of Baltemore County Gentleman Dec<sup>d</sup> was Seised in fee Simple of

Acts of 1725,  
ch. 20  
p. 81

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Several Tracts of Land and by his Last will and Testament in writing Duly proved Devised Lands to Every One of his Children in fee and Gave Express Directions to the person Employed to write his will to Insert a Devise In his said will of Three hundred and fifty Acres of Land part of Roberts his Forrest lying in the said County unto Elizabeth his wife with full power And Authority to Dispose thereof the Better to Enable her to Discharge the said Testators Just Debts and Support her self and that the said Elizabeth Believing the said will to have Been penned According to the Testators Intentions sold and Conveyed the said Land to One John Cross for Seven Thousand pounds of Tobacco wherewith she Discharged Severall of the Deceased's Just Debts and Applied the Residue to her own necessary support which Land hath been Sold by the said John Cross to the said James Moore That upon Inspection of the said will it appears that as it is worded The said three hundred and fifty Acres of Land are Intailed On the said Elizabeth and the Heirs of Her Body Lawfully begotten by the Ignorance or misapprehension of the writer And whereas The premises have been fully proved to this Assembly and Francis Roberts son and heir att Law of the said Thomas Roberts and Elizabeth his wife having had due notice to  
p. 82 appear and make his Objections to the passing an Act for the petitioners Relief hath by a writing under his hand acknowledged his fathers Intentions to be as herein before mentioned and Given his Consent to the passing this Act.

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the advice and Consent of his Lordships Governour and the upper and Lower House of Assembly and the Authority of the Same That the said Three hundred and fifty Acres of Land part of Roberts his forrest shall be deemed and taken to have been Devised to the said Elizabeth Roberts in fee Simple and that those who have her Estate therein shall have the same Right and Title therein as if The Devise thereof by the said Thomas Roberts had Been Expressly in fee Simple Any Thing in the said will Or any Law usage Or Custom to the Contrary notwithstanding Saveing to his most Sacred Majesty his heirs and Successors his Lordship the Lord proprietary His heirs and Successors and to all Body's politick and Corporate and all others not mentioned in this Act their Severall and Respective Rights.

Acts of 1725, An Act to Repeal an Act Entituled an Act for Confirming and  
ch. 21 Making Valid the Last will and Testament of Collonel John  
p. 83 Contee  
(Repeals  
1708, ch. 13)

Whereas att a Session of Assembly held at Annapolis the twenty ninth day of November in The year of Our Lord One Thousand Seven hundred and Eight An Act past Entituled An Act for Confirming The Last Will and Testament of Colonel John Contee Re-



citing that whereas the said John Contee had on the Thirty first day of July then Last past made his Last will and Testament In writing then Recorded in the perogative Court Of This province naming Mary his wife Sole Executrix thereof and that he had well Considered and perused the said will and declared his free Approbation thereof but that before he Could Sign and Solemnly publish the Same he died Suddenly notwithstanding which recital it is now made manifestly Appear to this Assembly that the said pretended will was wrote by a person Verry Officious to Oblige The said Mary in a room Distant from that in which The said John Contee Lay Sick where it was not possible for him to Communicate his mind to the said writer and that after the said pretended will was wrote and brought to him he Refused to perfect the same and Declared his Disapprobation thereof and Could never be prevailed on to perfect the same Though Frequently Importuned and tho he Lived Severall Days after the writing the said Instrument and Continued all the time of Sound and disposing mind And whereas it is Likewise made Appear to This Assembly that the Evidence which Induced The former Assembly to pass the said Act were partial Examinations of witnesses by an Officer who had Certified under his hand in the name of his Office which was Judicial that the said Will was prov'd in Common form before him whereas in truth the very paper Pretended to be the Designed will of the said John Contee being produced to this present General Assembly Appears to have been neither Sign'd nor Sealed By the pretended Testator and Consequently could not be prov'd in Common form without Evident perjury By which and other means too shocking to be Transmitted to posterity but not too shocking to be then made use of by the Interest and Influence of particular persons in power by whose Interest and Influence the said Act past both Houses of Assembly the very next Day after Leave was given To bring in the Bill Contrary to the Standing rules of The Lower House whereby the Heir at Law and other Legal representatives of the said John Contee who were Subjects of Great Brittain and then actually resideing in Great Brittain were Devested of the real and personall Estate of the said John Contee without The Least notice of such a proceeding or Opportunity of defending their Right Contrary to Equity and naturall Justice all which appears more fully sett forth in the petition Lodged in the proper Office and is well made Out to this present Generall Assembly And Whereas Due notice of the application hath Been Given to Mr John Bruce the father and Natural Guardian of Charles Bruce Son and heir att Law of a Supposed Sister of the said Mary the wife of the said John Contee and unto William Rogers John Courts John Speake Richard Speake and John Neale being all the persons known that had any Claim to the Estate of the said Mary by purchase or Otherwise within this province Or under the said pretended Will, Be it Therefore Enacted by

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Acts

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Liber LL, 5 the Right honble the Lord Proprietary by and with the Advice and  
 Acts Consent of his Lordships Governour and The upper and Lower  
 Houses of Assembly and the Authority of the Same That the said  
 Act Entituled An Act Confirming the Last will and Testament of  
 Colonel John Contee be and is hereby repealed Abrogated and made  
 Void Provided nevertheless That no person that hath Purchas'd any  
 of the Lands or Tenements whereof the said John Contee Died  
 Seized and that hath actually really and Bona fide paid the Consider-  
 ation Agreed for shall Be prejudiced by this Act nor any Contract for  
 The sale of Any the said Lands made by the said Mary be Defeated  
 provided the purchase Money be paid to the said heir at Law Where  
 not already Actually paid to the said Mary Any thing therein To the  
 Contrary notwithstanding And in regard the whole personal  
 Estate of the said John Contee is Disposed of Be it Enacted that  
 nothing in this Act shall Extend or be Construed to Extend to  
 prejudice any person now possess of any part thereof but that all  
 persons so possess shall hold and Enjoy the same Saving to his most  
 Sacred Majesty his heirs and Successors and to all Body's politick  
 and Corporate and all others not mentioned in this act their Severall  
 and respective rights Anything in this Act to the Contrary notwith-  
 standing.

Acts of 1725,  
 ch. 23  
 p. 98

#### An Act ffor Limitation of Officers ffees.

Be it Enacted by the Right honourable The Lord proprietor by and  
 with the advice and Consent of his Lordships Governour and the  
 upper and Lower Houses of Assembly and the authority of the  
 same That from and after the End of this present Session of As-  
 sembly no Officer or Officers hereafter mentioned in This present Act  
 p. 99 their ministers Servants or Deputies by reason or Colour of his or  
 Their Office or Offices shall have receive or Take of any person or  
 persons Directly or Indirectly any Other fees than by This act is  
 hereafter Limited and allowed to The severall Officers hereafter  
 mentioned To the Chancellour or Keeper of the Great Seal The Seal  
 of An Originall writt Six pounds of Tobacco The Seal of a Recor-  
 dari Twelve pounds of Tobacco The Seal of a Subpena Ad Respon-  
 dum with three Names Or under fifteen pounds of Tobacco The Seal  
 to a proclamation of Rebellion Three hundred & Sixty pounds of To-  
 bacco The Seal of a Commission of a Rebellion Three hundred and  
 Sixty pounds of Tobacco The seal of a Grant of Land for one hun-  
 dred acres or under One hundred & Twenty pounds of Tobacco  
 Every hundred Acres above One hundred Acres Twelve pounds of  
 Tobacco Seal of a Decree in Chancery four hundred and Thirty  
 pounds of Tobacco Seal of an Injunction in Chancery Two hundred  
 & forty pounds of Tobacco Seal of an Auditâ Quere Sâ One hundred  
 & Twenty pounds of Tobacco Seal to Execution of a Decree in Chan-  
 cery One hundred and Sixty two pounds of Tobacco Seal of a writt

of Covenant for passing a fine fifteen pounds of Tobacco Seal of a Commission to take Acknowledgement One hundred and Twenty pounds of Tobacco The Chancellours Hand to a writt of Assize two hundred and fferty pounds of Tobacco Seal of a writt of Error to the Councill two hundred & forty pounds of Tobacco seal to a Scire facias Thereupon two Hundred and forty pounds of Tobacco Seal to a Supersedeas Thereupon Two hundred and forty pounds of Tobacco for the Seal to Certiorari two hundred and forty pounds of Tobacco The seal to an Exemplification of Land the Same with the patent or Grant the Chancellours hand To a writt of Covenant two hundred and fferty pounds of Tobacco A Seal to a mandamus One hundred and Twenty pounds of Tobacco ffor the Seal to a melius Inquirendum One hundred & Twenty pounds of Tobacco The Seal of a Commission of a County Court Four hundred & Thirty pounds of Tobacco Seal of a Dedimus potestatem to swear the Justices two hundred & fferty pounds of Tobacco seal of a Supersedeas to a Commission of Rebellion Or Supplicavit two hundred & forty pounds of Tobacco The seal of a Sherriffs patent for his Office ffour Hundred & Eighty pounds of Tobacco The Seal of a posse Comitatus One hundred & Twenty pounds of Tobacco seal of a writt of Discharge if any One hundred & Twenty pounds of Tobacco Seal of A patent of Denization four hundred & Thirty pounds of Tobacco for Seal of ne Exeat provinciam one hundred & Twenty pounds of Tobacco Seal of a writt of Error from Any County Court One hundred & twenty pounds of Tobacco Seal of a scire facias Thereupon One hundred & Twenty pounds of Tobacco for seal of Supersedeas Thereupon One hundred & Twenty pounds of Tobacco for seal of Supersedeas Thereupon One hundred & Twenty pounds of Tobacco seal of Every other Matter Or Thing that shall pass the Great Seal and not herein Contained Each One hundred & twenty pounds of Tobacco To the Commissary Generall Or Chief Judge in Testamentary Causes for Every Letter of administration or Letter Testamentary fifty Six pounds of Tobacco for Every bond Thirty five pounds of Tobacco for Every oath nine pounds of Tobacco for a warrant to appraisers Sixteen pounds of Tobacco for Every warrant To Swear them Sixteen pounds of Tobacco for Every Commission to prove a will or take Oath To account or of Administration fifty six pounds of Tobacco Recording wills Inventorys or Copying the Same or any other matter Out of the Commissarys Office nine pounds of Tobacco per side Computeing Seven words to a Line and fifteen Lines to a Side Every Order in Testamentary Causes nine pounds of Tobacco for filing Cost nine pounds of Tobacco for Copy of Cost nine pounds of Tobacco Recording Definitive Sentence per side nine pounds of Tobacco for seal to the Definitive Sentence Two hundred and Seventy pounds of Tobacco for Seal to the Execution of such Definitive Sentence One hundred & Thirty five

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Acts

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- Liber LL, 5 pounds of Tobacco for Every Citation Special Or Otherwise Eleven  
 Acts pounds of Tobacco for filing Answer Libell Replication or petition  
 & Twenty Three pounds of Tobacco for Subpena for Cost nine  
 pounds of Tobacco for Drawing Definitive Sentence per side nine  
 pounds of Tobacco for Copy of Every answer Libell Replication or  
 Rejoynder per side nine pounds of Tobacco for Drawing Depo-  
 sitions of witnesses per side nine pounds of Tobacco for filing  
 Interrogatories Twenty Three pounds of Tobacco for Entry of  
 Demand for administration or probat of wills nothing for Entry of  
 Every Return four pounds of Tobacco for Every Appearance tenn
- p. 102 pounds of Tobacco for Every attachment Thirty two pounds of  
 Tobacco for a Quietus est fifty six pounds of Tobacco for Exem-  
 plifications of Letters Testamentary or of administration with seal  
 thereto Sixty pounds of Tobacco for Commission of Rebellion and  
 proclamation of rebellion Each Sixty Seven pounds of Tobacco for  
 Commission to Examine Evidences and Commission to auditors Each  
 fifty six pounds of Tobacco ffor scire facias Sixteen pounds of  
 Tobacco for duces Tecum thirty two pounds of Tobacco for Seal  
 to any precept or Copy from the record Fifteen pounds of Tobacco  
 for search of a record the first year nothing for search of a record  
 above one years Standing within the first five years per annum  
 three pounds of Tobacco and for Every year above five per Annum  
 one pound of Tobacco Provided that where the Estate of any  
 Dec<sup>d</sup> person shall be under the sum of Twenty pounds Current  
 money and Exceed tenn pounds in all such Cases the Commissary  
 Generall shall take but half fees for the Same and if under Ten  
 pounds nothing to be allowed And be it also Enacted that The  
 severall Deputy Commissary's within this province shall and are  
 hereby Authorized Impowered and required to pass Audite and  
 allow all such accounts as shall Come before them relating to any  
 Dec<sup>d</sup> persons Estate within their respective Countys for any Sum  
 whatsoever without any special Commission to that purpose obtained  
 from the Commissary General or Chief Judge or Judges in Testa-  
 mentary Causes provided there be no Controversy thereon And that  
 the Deputy Commissarys be under the Same Obligation of returning  
 such accounts and in all respects Doing his Duty therein as in case of  
 accounts of Estates under fifty pounds any thing in the Act for the  
 better administration of Justice in Testamentary Affairs &c to the  
 Contrary notwithstanding Secretary's fees for a recordari seven  
 pounds of Tobacco for a Subpena ad respondendum w<sup>th</sup> three  
 names nine pounds of Tobacco for Every name more than three four  
 pounds of Tobacco for an Attachment of contempt Ten pounds of
- p. 103 Tobacco for a proclamation of Rebellion Sixty Seven pounds of  
 Tobacco for an Injunction Thirty two pounds of Tobacco for an  
 Audita Querela fifty nine pounds of Tobacco for a writt of Enquiry  
 of Damages twenty two pounds of Tobacco for a writt of Covenant



to pass a ffine nine pounds of Tobacco for a Commission to take an Acknowledgement Sixty Seven pounds of Tobacco for a writt of Assize Eighteen pounds of Tobacco for a Commission to fine Officers upon a melius Inquirendum or monstraverunt Sixty Seven pounds of Tobacco for a ne Exeat provinciam Sixty Seven pounds of Tobacco for Drawing any Instrument that passeth the seal if it Exceed one Side Computing Seven words to a Line and fifteen Lines to a side and so pro rato nine pounds of Tobacco for recording the same as before nine pounds of Tobacco for Entring Any other matter upon record if it Does not Exceed half a side of a Leaf five pounds of Tobacco if the matter Entred upon record be above half a side computing as before for every side nine pounds of Tobacco for Copying the same with recording nine pounds of Tobacco for any warrant Or Lycence against or to one person Only not under the seal nine pounds of Tobacco for any warrant Or Lycence against or to more than one not under the Seal then for Each nine pounds of Tobacco for any other pass or Discharge not under the Seal nine pounds of Tobacco for search of a record the first year nothing for search of a record Above one years Standing for Every year within the first five years per annum three pounds of Tobacco and for Every year above five per annum One pound of Tobacco fileing Every bill in Chancery twenty two pounds of Tobacco every Court the same shall Continue twenty two pounds of Tobacco for fileing Every answer Twenty pounds of Tobacco for Every Oath to the same Seven pounds of Tobacco for writing a Commission and bond and recording it for Every Sherriffs Office One hundred and Thirty five pounds of Tobacco for a writt of posse committatus Sixty Seven pounds of Tobacco for a writt of Discharge of any Sixty Seven pounds of Tobacco for writing and recording a Commission and Dedimus potestatem for the County Court One hundred Eighty Six pounds of Tobacco for Every writt and return Sixteen pounds of Tobacco for Every Subpena and return twenty two pounds of Tobacco for fileing and recording Every Declaration per side Accounting fifteen Lines to a side and Seven words to a Line nine pounds of Tobacco a Copy of the same at the same rate not to be charged unless required and Delivered for Every Appearance Entred Seven pounds of Tobacco for Entry of Impar lance five pounds of Tobacco for recording verdict in Criminall Cases five pounds of Tobacco Entring Conviction and Signing Judgment thirty pounds of Tobacco writt of Execution Thereon thirty pounds of Tobacco taking Security On Condemnation on Attachment nine pounds of Tobacco for Entring Action Agreed five pounds of Tobacco for a Continuance Or Reference four pounds of Tobacco fileing a plea if not special five pounds of Tobacco Special plea per side as before nine pounds of Tobacco making up the Issue Eighteen

Liber LL, 5  
Acts

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Liber LL, 5 pounds of Tobacco Rule to plead or for Tryall ffour pounds of  
 Acts Tobacco A Venire facias for Jurors Sixteen pounds of Tobacco  
 A Copy of the pannell four pounds of Tobacco for Every Verdict  
 five pounds of Tobacco for Entring Judgment Eighteen pounds of  
 Tobacco for Signing Judgment fourteen pounds of Tobacco for  
 a Transcript of the whole proceedings as before per side nine  
 pounds of Tobacco for a Copy of a Judgment Eighteen pounds  
 of Tobacco for fileing a bill of Cost nine pounds of Tobacco for  
 a Copy of it if Demanded and Delivered nine pounds of Tobacco  
 for Every Execution and return Eighteen pounds of Tobacco for  
 An Attachment and Scire facias Thirty two pounds of Tobacco  
 for Every Special Bail nine pounds of Tobacco for fileing and  
 recording every Demurrer nine pounds of Tobacco for Drawing a  
 protest and Recording it One hundred Thirty five pounds of To-  
 bacco for Drawing any other matter as publick notary Attested  
 under the Seal twenty nine pounds of Tobacco if such matter exceed  
 one Side then per side nine pounds of Tobacco Recording a pattent  
 for Land Sixty Seven pounds of Tobacco for proveing Rights per  
 pole two pounds of Tobacco for Entring an Assignment not Ex-  
 ceeding half a Side nine pounds of Tobacco for Entring a Certificate  
 p. 105 for Land nine pounds of Tobacco per side as before for a warrant  
 for Land sixteen pounds of Tobacco for a warrant of Resurvey by  
 Order of the Councill twenty nine pounds of Tobacco for habere  
 facias possessionem Sixteen pounds of Tobacco for A Replevin Six-  
 teen pounds of Tobacco for a procedeside Sixteen pounds of  
 Tobacco for a writt of restitution Sixteen pounds of Tobacco for  
 Drawing Dedimus potestatem to Examine Evidences twenty nine  
 pounds of Tobacco for an habeas Corpus Twenty nine pounds of  
 Tobacco for a Certiorari twenty nine pounds of Tobacco for a  
 Commission to audit twenty nine pounds of Tobacco for an Elegitt  
 twenty nine pounds of Tobacco for a Commission of Resurvey  
 twenty nine pounds of Tobacco for a writt of Diminution sixteen  
 pounds of Tobaco for a writ of Error to the County Court twenty  
 nine pounds of Tobacco for a scire facias thereupon twenty nine  
 pounds of Tobacco for a Supersedeas thereon twenty nine pounds  
 of Tobacco for Entring an Acknowledgment of Land in Court  
 Seven pounds of Tobacco Recording a Conveyance nine pounds of  
 Tobacco per side as before Taking Every recognizance in Court  
 Sixteen pounds of Tobacco Discharging of Every Recognizance  
 Sixteen pounds of Tobacco Every Venire facias or warrant to  
 apprehend Criminals Seventeen pounds of Tobacco for appearance  
 nine pounds of Tobacco for Every Respit and Continuance Sixteen  
 pounds of Tobacco for Every Order in Criminall Cases nine pounds  
 of Tobacco for a Copy of Every Recognizance Sixteen pounds of  
 Tobacco for Every Indictment nine pounds of Tobacco per Side as

before Same for filing for fileing plea To the same five pounds of Tobacco for Confession to Every Indictment nine pounds of Tobacco Allowance of a writt of Error Sixteen pounds of Tobacco for Every Indictment after the first name fourteen pounds of Tobacco For Rule of Tryall nine pounds of Tobacco for making Out a Common warrant and recording the same with the lesser Seal thirty three pounds of Tobacco for Renewing any common warrant and Entring it thirty three pounds of Tobacco for fileing and Recording a Deed or Assignment Eighteen pounds of Tobacco for drawing a pattent One hundred and Twenty pounds Of Tobacco for recording Certificate The same as in the provincial Court so much per side for Searching and Copying the same as in the provincial Court Office for Every petition to the Secretary in Land Affairs Granting and Recording it fifty pounds of Tobacco for Commission to Examine Evidences fifty Six pounds of Tobacco And for any Other Service not herein mentioned To be Charged by the side As Aforesaid To the Surveyor Generall and his Deputy for the survey of one hundred Acres of Land or under one pound of Tobacco per acre for any Quantity above One hundred Acres and under Two hundred Acres for the first hundred as before and half a pound of Tobacco for the rest per Acre if between Two hundred Acres and five hundred Acres then for the first two hundred as before and a Quarter of a pound of Tobacco for all Above for five hundred Acres as before and for all above tenn pounds of Tobacco per hundred Acres for Every platt allowing three platts for Every Survey (that is to say) One to the party One to the Examiner Generall and the Other to be Entred on the Surveyors book Tenn pounds of Tobacco for the first hundred Acres or under and after the Rate of five pounds of Tobacco per hundred Acres for all above the first hundred acres for Journey ffees if the same be Distant from the Surveyors house Twenty miles Or under fforty pounds of Tobacco If above Twenty miles and under forty Eighty pounds of Tobacco if Above forty miles and under Sixty then One hundred and Twenty pounds of Tobacco and so pro rato for Every Certificate of Survey be the Quantity more or Less five pounds of Tobacco for all Resurveys where Surplus is Included Or Vacancy is added If the Surveyor Runs Out Only the Outside Lines of the whole Tract The same fees that are allowed upon primitive Surveys for running the Lines of Any adjacent Lands a quarter of a pound of Tobacco per perch and no more Sheriffs ffees for serving a writt and bail bond Thirty five pounds of Tobacco for tending On a prisoner One Day Twenty ffour hours in Custody twenty pounds of Tobacco and so pro Rato for the first month and for Every Day after the first month tenn pounds of Tobacco for Collecting the publick Dues for every Hundred Ten pounds of Tobacco for serving attachment or Execution tenn pounds

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Acts

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Liber LL, 5 of Tobacco and if Any Execution be for above an hundred and under  
 Acts five hundred pounds of Tobacco fifty pounds of Tobacco if it Exceed  
 five hundred than One hundred pounds of Tobacco if it Exceed  
 One Thousand than for the first Thousand One hundred pounds of  
 Tobacco and Every Thousand Afterwards fifty pounds of Tobacco  
 and at the same for money Rateing Tobacco att One penny p  
 pound for Committment and releasement fforty pound of Tobacco  
 and it is hereby Declared that it is the true Intent and meaning of  
 This Act That the severall Sherriffs shall have no more ffees than  
 for what shall appear to be the real Debt or Damages w<sup>th</sup> Cost upon  
 such Execution and if no part shall be Condemned that shall be  
 attached that then the said Sherriff shall have only Tenn pounds of  
 Tobacco for returning the writt as Aforesaid and no more for  
 Impannelling a Jury One hundred and Twenty pounds of Tobacco  
 for Serving Any Extrodinary warrant Or Commission to be regu-  
 lated by The Court for Serving a scire facias Including the persons  
 Summoned and The persons before whom the Same is made known  
 Thirty pounds of Tobacco for serving a Citation Thirty pounds of  
 Tobacco for Executing a Commission of Resurvey and Taking  
 Depositions of wittnesses p Day One hundred pounds of Tobacco for  
 Every non est Inventus returned Tenn pounds of Tobacco for serving  
 p. 108 a Subpena Thirty pounds of Tobacco To the Coroner for viewing  
 the body of any person or persons murdered Slain Or Otherwise  
 Dead by misadventure to be made Out of the Goods and Chattells  
 of the party so Dead if Any there be Otherwise to be Levyed by the  
 Comissioners of the County where such Accident shall happen two  
 hundred and fifty pounds of Tobaco for arresting or Summoning  
 any Sherriff sued or prosecuted in any Court and for Taking Security  
 forty pounds of Tobacco for arresting Summoning or Attacking  
 Any other person or persons wherein the Sherriff is plaintiff such  
 fees as are allowed to be taken by the sherriff in such Cases and no  
 more To the Cryor of the provincial Court for Swearing Every Jury  
 One hundred and Eight pounds of Tobacco Swearing Every witt-  
 ness nine pounds of Tobacco Swearing the Bailiff nine pounds of To-  
 bacco Every Special Bayle fifty four pounds of Tobacco for Every  
 Good behaviour fifty four pounds of Tobacco for Clearing Every  
 prisoner by proclamation Sixty pounds of Tobacco for the acquitall  
 of Every prisoner Sixty pounds of Tobacco for Every Appeal from  
 the County Court Thirty six pounds of Tobacco for Every writt  
 of Error return'd from the County Court thirty six pounds of  
 Tobacco To the Clerk of the Councill for Every petition in Councill  
 and Order in favour of the partie One hundred and Thirteen pounds  
 of Tobacco for any Commission or other Instrument prepared by  
 the said Clerk To pass the Broad Seal if for a place of proffitt One  
 hundred and fifty pounds of Tobaco For Every Sherriffs Com-



mission Three hundred pounds of Tobacco for recording any matter in Councill p side fourteen pounds of Tobacco on account of any private person for Copying Any Matter from the Councill records the same as for recording for Searches the same as to the Secretary To the Clerk of the high Court of Appeals for recording Every writt of Error Scire facias and return p Side Eighteen pounds of Tobacco and so pro rato as before Computing Seven words in a Line and Twelve Lines in a Sheet The Like for recording a Transcript the Like fees for recording of Errors for Entring and Signing Judgment Sixty Three pounds of Tobacco fileing a bill of Cost Eighteen pounds of Tobacco for Copy of the same Eighteen pounds of Tobacco and for all Others the same as are Taken in the provincial Court Office To the Clerk of the County Court for a writt and return Eleven pounds of Tobacco fileing Every Declaration if a side Six pounds of Tobacco and so pro rato if more for a Copy of the same if Demanded as before for Entring The Defendants Appearance four pounds of Tobacco for Every Imparlanche Three pounds of Tobacco for fileing Every plea Or Demurrer if not a special One Three pounds of Tobacco if a side or more pro rato If any Copy Delivered pro rato for Entring Of any matter upon Record if half a side or under Three pounds of Tobacco if a bare half a side then pro rato as before for a Subpena if but one name seven pounds of tobacco if more than One name then nine pounds of Tobacco for Rule to plead or Tryall three pounds of Tobacco for making up the Issue Six pounds of Tobacco for a Copy if Delivered six pounds of Tobacco for Entring Judgment Eleven pounds of Tobacco for Signing Judgment Eight pounds of Tobacco for a Venire facias for Jury Eight pounds of Tobacco for Entring the pannell three pounds of Tobacco for fileing bill of Cost Six pounds of Tobacco for Copy of the same five pounds of Tobacco for Execution and return Eleven pounds of Tobacco for special Bayle five pounds of Tobacco for a writt of Enquiry twenty seven pounds of Tobaco for Entring An Appeal six pounds of Tobacco for a return of a Certiorari Copy of the record p side Six pounds of Tobacco for Entring a writt of Error Six pounds of Tobacco for Every Oath four pounds of Tobacco for proving a Deed or writing Six pounds of Tobacco for Copying the same if required p side Six pounds of Tobacco for recording the mark of Cattle and Hoggs Three pounds of Tobacco for Taking the Acknowledgment of Land in Court nine pounds of Tobacco for recording a Conveyance for Land p side Six pounds of Tobacco for Allowance of Habeas Corpus Six pounds of Tobacco for all Searches two pounds of Tobacco p year for Habeas Corpus Eleven pounds of Tobacco for Eligitt Eleven pounds of Tobacco for replevin Eleven pounds of Tobacco Commission to Examine Evidences fifteen pounds of Tobacco Taking and recording Bond

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Acts for Orphans Estate twenty two pounds of Tobacco for Duces Tecum Eleven pounds of Tobacco for Criminalls for Takeing Every Recognizance Eleven pounds of Tobacco for Discharge of Recognizance nine pounds of Tobacco for venire facias or warrant nine pounds of Tobacco for Every Appearance Six pounds of Tobacco for Every respit and Continuance Six pounds of Tobacco for Every Order six pounds of Tobacco for a Copy of Recognizance Eleven pounds of Tobacco for filing Every Indictment Six pounds of Tobacco p side a Copy of the pannell Three pounds of Tobacco for recording the verdict five pounds of Tobacco for Entring the Judgment Seventeen pounds of Tobacco for Execution of the Judgment Seventeen pounds of Tobacco for Copy of The Indictment p side six pounds of Tobacco for filing Every plea Six pounds of Tobacco for Confession of Indictm<sup>t</sup> Six pounds of Tobacco Taking Security on Condemnation On Attachments five pounds of Tobacco for Entring action Agreed Three pounds of Tobacco Chancery Proceedings in The County Courts Entring motion and Order Six pounds of Tobacco Entring and Signing Decree nineteen pounds of Tobacco filing Cost Six pounds of Tobacco Copy Cost Six pounds of Tobacco To the Cryer of the County Court and Court of Assize for Swearing Every Petit Jury fifty ffour pounds of Tobacco Swearing the Bailiff ffour pounds of Tobacco Every Oath of a wittness four pounds of Tobacco Speciall Bail twenty Seven pounds of Tobacco Good Behaviour Twenty Seven pounds of Tobacco Clearing Every Prisoner by Proclamation Thirty pounds of Tobacco To the Examiner Generall for Examining a Certificate of An hundred Acres or under forty five pounds  
p. 111 of Tobacco for Examining a Certificate of two hundred acres fifty Three pounds of Tobacco for Examining a Certificate of Three Hundred Acres Sixty pounds of Tobacco for Examining a platt or Certificate of Three hundred Acres Sixty pounds of Tobacco for the first Three hundred acres and four pounds of Tobacco for Every Hundred Acres Over and Above the Three hundred acres And be it further Enacted by the Authority aforesaid by and with the advice and Consent aforesaid that the several Navall Officers their Sufficent Deputy or Deputy's belonging to the Severall and respective Districts next adjoining to the Towns and ports of Annapolis and Oxford shall Constantly Reside att the said Ports for Giving Dispatch to all ships or Vessells Trading and Coming into the said Cittys and ports And It is hereby further Enacted and Declared by the Authority Advice and Consent Aforesaid that the Severall and Respective Navall Officers of This province within Their Severall and Respective Districts for the Severall Acts and Things Relateing to their Office by him or them Enjoyned to be Done shall have and receive the ffees mentioned in the Act of Assembly made at a Session of Assembly begun and held at the City of An-

napolis the Twenty Eighth Day of May Seventeen hundred and Seventeen Entituled a Supplementary Act to the Act for Limitation of Officers fees and no more And be it further Enacted by the Authority aforesaid that all Small Boats belonging to This Province And being under Eighteen foot by the Keel shall pass and repass without any Lett hindrance molestation or Seizure of the same unless They shall Carry and have on board Them prohibited Goods Lyable to pay Custom not Cocqueted or Cleared for the Same without being Obliged to take Out permitt for such passing or Repassing as Aforesaid and That the masters of all Shallops or open boats for Trading within This province Do pay to the Severall Navall Officers or their Deputy or Deputy's appointed for the Granting of permitts the sum of Two Shillings and Six pence Currency yearly and no more for the Granting such permitts as af<sup>d</sup> and shall Give Good Security to be Taken by such Officers Aforesaid Or their Deputy or Deputy's in his Lordships name That he and They shall and will Duly Observe the Acts of Trade and Navigation and Other Good Laws of this province relating Thereto And be it further Enacted that all and Every Collector and Collectors of this province shall have and receive such fees for Entring and Clearing such Ships and Vessells aforesaid as are above allowed to the Navall Officers And no more And that all Collectors and Navall Officers shall make a fair Table of their fees and hang up in their Offices under the penalty of ffifty pounds Sterling the One half thereof to his Lordship his heirs and Successors for the Support of Government And the other half to the Informer or him or them that shall sue for the same to be Recovered in Any Court of Record within this province by Action of Debt bill Plaint or Information wherein no Essoyn Protection or wager of Law to be allowed Provided always that in Case any Person shall refuse to Pay the same fee so by this Act Limited and Allowed It shall and may be Lawfull for the Chancellor Secretary Judge for probat of Wills &c. Surveyor Generall or his Deputy's Sherrieff Coroner Clerk of the Councill Clerk of The Courts of Appeals the severall Clerks of the County Courts Cryers of the Provinciaall Court and the severall Cryers of The Assize and County Courts and the Examiner Generall To recover the same by way of Execution against the Goods Tobacco or Chattells of the person or persons So Refuseing Provided always that such person or persons having no Tobacco And That shall Refuse to shew unto such Officer or Officers as shall Collect the same such Goods and Chattells it shall be Lawfull for such Officer or Officers to take the Body or bodys of such person or persons in Execution for the same and not Otherwise Provide also that no Officer or Officers in this Act particularly mentioned and whose fees are hereby settled and Limited shall by Virtue thereof Either have or Cause to be Levyed Any Execution upon the body Goods or Chattells of Any person or persons whatsoever for any fees in this Act

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Acts

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Liber LL, 5 <sup>Acts</sup> Limited or Contained without Delivering or Causing to be Delivered a true and Just Account of the fees to them Due by this act as afores<sup>d</sup> under the hand or hands of Such Officer or Officers to the person or persons from whom such fees Demanded are Due as Aforesaid Thirty Days at the Least before Execution Levied and in Case Any of the said Officers as aforesaid shall in any wise act or Do Contrary Directly or Indirectly To this Act he or they so Offending shall Loose and forfeit To the party Grieved Treble Damages Sustained and also shall forfeit The sum of Six Thousand pounds of Tobacco Or forty pounds Sterling the One moyety to the Right Honourable the Lord Proprietor his heirs and Successors for the support of Government and the other moyety to the party or parties That shall sue for the same to be recovered in any Court within this province by action of Debt bill plaint or Information wherein no Essoyn protection or wager of Law to be allowed And Forasmuch as severall Officers within this province Since the Expiration of the Late Law for Limitation of their fees have taken Obligations for Larger fees then of Late years have Been by Law allowed them Be it Enacted by and with The Authority Advice and Consent Aforesaid That it shall not be Lawfull for any Officer or other person to Commence any action or suit whatsoever upon any Obligation note or Other writing w<sup>ch</sup> hath been made or passed since the Twenty fifth Day of December Last for the payment of any fee or fees to any of the Officers Aforesaid but that all such Obligations notes or other writings shall be Taken and held to be Void to all Intents and purposes And all Officers that have received Money for fees since the Expiration of the Law afores<sup>d</sup> shall refund such money So Taken to the person or persons of whom he or they have received it or to their Assigns when Thereto Required or forfeit and pay for Every Offence the sume of Twenty pounds Current money One half thereof To the party Grieved and the Other half to him or them that shall sue for the same to be Recovered in Any Court of Record in This Province by Action of Debt bill plaint Or Information wherein no Essoyn protection or wager of Law to be allowed And be it further Enacted That Every Officer Aforesaid upon the Cancelling of the Obligations he has Taken for fees and Refunding The money as aforesaid and also all such Officers as have Done Services since the said Twenty fifth Day of Decemb<sup>r</sup> without Takeing money Obligations Notes or Other specialty's for their fees for such Services shall have the same fees and Remedy for Recovering Them As if this Act had Been in force at the Time of such fees Becoming Due any Law Statute Useage or Custom to the Contrary in any wise notwithstanding Provided This Act nor any thing Therein Contained shall Extend or be Construed to Extend to Deprive his Lordships Secretary of his Claim to the fee or fees



Usually heretofore Taken for Granting Special warrants Or any other matter Or Thing thereto relating but that they Continue in The same State as if this Act had never been made This Act to Continue in force For Three years and to the End of the next Session of Assembly after the said Three Years.

Liber LL, 5  
Acts

An Act to Confirm a Marriage Agreement heretofore made Betwixt Randall Revell Sen<sup>r</sup> and Katherine his wife on the Behalf of Randall Revell Jun<sup>r</sup> and Sarah his wife and to Invest the Heirs of the said Sarah with an Estate Of fee tail Gen<sup>l</sup> according to the said Agreement.

Acts of 1726,  
ch. 2  
p. 121  
[Other Acts  
of this  
Session  
are printed  
in Vol. 35  
of the  
Archives]

Whereas William Bozman of Somerset County by his petition to the House of Delegates hath sett forth that About the year One Thousand Six hundred eighty three there was a marriage proposed bewixt Randall Revell Jun<sup>r</sup> deceased and a Certain Sarah Ballard Dec<sup>d</sup> both of Somerset County upon which the mother of the said Sarah Insisted that Randall Revell Sen<sup>r</sup> the Father of the said Randall Revell Jun<sup>r</sup> and his wife Katherine should make Over to their said Son and the Heirs of the Body of The said Sarah to be begotten by the said Randall Revell Jun<sup>r</sup> on the body of the said Sarah five hundred acres of Land alledged to belong to the said Randall Revell Sen<sup>r</sup> in Somerset County and also the said Sarahs Mother was to Give to her as a marriage portion One hundred pounds And whereas also after the said marriage was affected The said Randall Revell Sen<sup>r</sup> together with his wife by an Instrument in Writing gave the said Land by Certain bounds hereafter Exprest unto his said Son and the said Sarah but in so Defective a manner that the said Agreement by the Laws of Great Brittain and this province Could not be maintained Or Supported nor Give the Heir of the said Randall Revell Jun<sup>r</sup> begotten on the body of the said Sarah The right Intended and Agreed upon and he the said Randall Revell Jun<sup>r</sup> having after the Decease of the said Sarah intermarried with an other wife by whom he had Issue knowing the Defects of the said agreement by his Last will and Testament gave the Land agreed and Supposed to have been Settled by his father and mother in manner before mentioned to William Revell His Son by another Venture And whereas the said William Bozman hath further sett forth that he Intermarried with Sarah the Only Surviving Issue of the said Randall Revell and Sarah his wife yet that a Certain William Revell Issue by another venture pretends Title to the said Land by Virtue of his fathers will Notwithstanding the agreem<sup>t</sup> aforesaid Sett forth was Generally known But forasmuch as it Clearly Appears to this Generall Assembly that there was such an Agreement as is before mentioned and that The One hundred pounds was paid in Compliance therewith by the Mother of the said Sarah to the said Randall Revell Jun<sup>r</sup> and that the said William Bozman and

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Liber LL, 5 Acts Sarah his wife are Remediless but by the Legislative Power and Councill haveing been heard on Each side and Depositions being Read fully provinge the said agreem<sup>t</sup> It is therefore prayed that it may be Enacted And be It Enacted by the right hoñble the Lord Prop<sup>ty</sup> by and with the advice and Consent of his Lordships Gov<sup>r</sup> and the Upper and Lower Houses of Assembly and the Authority of the same That the said Sarah the Only Surviving Issue of the said Sarah Revell and the now wife of the said William Bozman and the Heirs of the Body of the said Sarah Bozman from henceforth have hold and freely Enjoy the said five hundred Acres of Land as before intended to have been Granted to begin at a point commonly called Racoon Point and to run up Monokin River and Back Creek so far as to Include five hundred acres of Land to have and Enjoy the same Together with all and Singular the premises to her and The heirs of her body for Ever Provided always that This Act nor any thing Contained therein shall prejudice nor Extend or be Construed to Extend to prejudice the right of the King the Lord Prop<sup>ty</sup> or the right Title or Estate of Ann Toft or any person whatsoever that hath her Estate or that Lawfully Claims by from or  
p. 123 under her nor that This Act shall prejudice the right of any person or the Heirs of any which hath prior or better right in the said Land than Randall Revell Sen<sup>r</sup> or Katherine his wife had att The Time of making the agreement aforesaid Notwithstanding any Thing herein Contained to the Contrary

Acts of 1726, An Act makeing Good and Effectual in Law a deed of bargain and  
 ch. 4 Sale from Tho<sup>s</sup> Dent of Charles County To Thomas Osburn of the  
 p. 129 same County when Recorded.

Whereas Thomas Osburn of Charles County by his humble petition to This General Assembly hath sett forth That in the Year of Our Lord One Thousand Seven hundred and nine he purchased from a Certain Thomas Dent of the same County a Tract of Land Called Wheelers Palme as by the Deed thereof appears which Deed The said Osburn had Duly Acknowledged before two Justices at the Then next County Court and paid the Alienation as usuall in such Cases and Delivered The Same to John Rogers Gent then Clerk of Charles County Court aforesaid but whether on his the said Petitioners Request or by what Other means Occasioned the said Petitioner Cannot Charge his Memory The Deed aforesaid was put into his possession againe The same Day Tho<sup>s</sup> Omitted by the said Clerk To be recorded as on Enquiry is since found and Tho<sup>s</sup> Thomas Dent the vender of the aforesaid Tract of Land hath Declared his Willingness to make the said Osburne a new Deed yet is Apprehensive it might Render him Obnoxious and Lyable to be sued Or prosecuted by his Creditors unless he receive the value Again & Distribute Among them according to An Act Late made for his Relief which

yet he Thinks most unjust in as much as he has been Once fully Satisfyed And paid for the same to Obviate which the pet<sup>r</sup> hath prayed that Leave may be Given him to bring in a bill to supply the Defect aforesaid all which this Assembly have Taken into Their Serious Consideracōn and for that the Truth of The severall facts alledged Sufficiently appear and Especially that The said Thomas Dent together w<sup>th</sup> Anne the wife of the said Thomas have Signified by Letter under their hands To this Assembly That they are heartily willing an Act may pass whereby the Land aforesaid may be Secured to the said petitioner According to the tennor of the Deed made to him in any way this Assembly shall Think fitt and Acknowledge to have been honestly and Justly paid for the same Therefore it is humbly prayed that it may be Enacted And be it Enacted by The right Hon<sup>ble</sup> The Lord proprietary by and with the advice and Consent of his Lordships Governour and the upper and Lower Houses of this present Generall Assembly and The Authority of the same that it shall and may be Lawfull for the said Thomas Osburn att any Time within Six months after the End of this Sessions of Assembly to Enrole or Cause to be Entered on the records of Charles County The Deed of Sale of the Tract of Land Called Wheelers Polme aforementioned purchased from the aforesaid Thomas Dent and when so Enroled the said Thomas Osburn and his heirs and assigns for Ever shall by Vertue thereof and of This act be Invested with the same Estate right Title Interest property Claim and Demand of in and to The said Tract of Land Called Wheelers Polme and shall have hold occupy possess and Enjoy all and Singular the rights members Advantages And appurtenances to the same belonging and in any wise appertaining in as full and ample manner to all Intents Constructions and purposes in the Law whatsoever as if the said Deed had been recorded within Six months from the Date and Acknowledgment of the said Deed any Law Statute Useage or Custom To the Contrary in any wise Notwithstanding Saveing to the Kings most Excellent Majesty and The Lord prop<sup>ty</sup> their Heirs and Successors all bodys politick and Corporate and all Others not mentioned in this Act Their Severall and respective Rights.

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Acts

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An Act in favour of John Galloway and John Giles to Enable them to record a Certain Deed herein mentioned and to Confirm the recording Thereof

Acts of 1726,  
ch. 8

Whereas the said John Galloway and John Giles by their humble petition to this Generall Assembly have Sett forth that their ffathers Viz. Samuel Galloway late of Ann Arundell County and John Giles late of Baltemore County did purchase of John Blackmore Richard and Ann Jones and Daniel and Elinor Mariarte part of a Tract of Land called Cumberstone Scituate in west River Three fifths to the

Liber LL. 5 said Samuel Galloway and two fifths to the said John Giles for the  
 Acts sum of Seventy pounds Sterling which said money was bona fide  
 p. 132 paid by the said purchasers and a Deed of Conveyance duly Executed unto them for the said Land That by the Last will and Testament of Samuel Galloway The af<sup>d</sup> John Galloway became vested with the right and possession of three fifths of the said Land and that the said John Galloway hath since purchased the other Two fifths of the said Land of John Giles father of The af<sup>d</sup> John Giles whereby the said John Galloway is Become Seized of the whole all which Allegations The said John Galloway and John Giles were ready to Verifie that the said John Galloway and John Giles have Lately Discovered that the af<sup>d</sup> Deed of Conveyance of the premises to the fathers of the said John Galloway and John Giles hath never been Enrolled in any of the records of this province Whereby The Legall Title of the said John Galloway to the said Land is rendred uncertain and precarious and that he is apprehensive that he may be Defeated of his Just right Wherefore the said John Galloway and John Giles by their said petition in humble manner prayed That this Generall Assembly would Take the Case under their Consideration and apply such Relief thereto as This Assembly in their prudence should Judge most requisite and for as much as The said Anne Jones Daniel Mariarte and Ellinor Mariarte have Certified to this Generall Assembly of their having notice of the petition af<sup>d</sup> and of Their Consenting that a bill should pass in favour of the said John Galloway and John Giles as prayed in Their petition af<sup>d</sup> and Likewise it being further made appear to This Generall Assembly that The af<sup>d</sup> John Blackmore  
 p. 133 and Richard Jones are both Deceased Since the Execution of the Deed Af<sup>d</sup> and That the said John Blackmore in whom the Chiefest Right to the Land af<sup>d</sup> Lay Left This province some years past and hath Left no heir or Representative here to the Knowledge of The said John Galloway and John Giles and further They shew that the aforementioned Deed by Them produced bears Date the nineteenth Day of July One Thousand Seven hundred and Twelve and appears to be acknowledged on the back Thereof before Josias Towgood and Thomas Larkin Gent Then two of the Justices of Ann Arundell County Court according to Law and for The Consideration of the said Sale hath been duly paid and That the said John Galloway and John Giles Case most properly requires an Equitable relief by an Act to be past in Their favour It is Therefore humbly prayed That it may be Enacted And be it Enacted by the Right Hon<sup>ble</sup> The Lord proprietor by and with the Advice and Consent of his Lordships Governour and the upper and Lower Houses of Assembly and The Authority of the same that it shall and may be Lawfull for the said John Galloway and John Giles to Record the Deed af<sup>d</sup> with the acknowledgment Thereof at any Time within Six months after the



End of this present Sessions of Assembly Either in The provincial or Ann Arundell County Records and that The recording thereof within the Time af<sup>d</sup> shall be Deemed had and held as Effectual in Law to all Intents Constructions and purposes whatsoever as if the same Deed had been Duly Recorded according To the Directions of The act of Assembly Entituled an Act for Quieting possessions Enrolling Conveyances and Securing the Estates of purchasers anything In the same Act or Any Other Law Statute or useage to the Contrary thereof in any wise notwithstanding Saveing to Our Sovereign Lord the King his heirs Or Successors The Lord pro<sup>vy</sup> of This Province his heirs or Successors and all bodys Pollick and Corporate and all Others not mentioned in This Act their Severall and Respective Rights.

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Acts

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An Act for the Relief of Josias Sunderland of Calvert County from the Reversall of a Judgment Obtain'd against him in his Lordships Provinciall Court by Samuel Gover of Ann Arundell County on an appeale from Calvert County Court the Originall Action being Brought as well at the suit of the said Lord proprietor as the said Sunderland and for the affirming the Judgment Obtained by his said Lordship and Sunderland against The said Samuel Gover in Calvert County Court.

Acts of 1726,  
ch. 12  
p. 139

Be it Enacted by The Right Hoñble The Lord Proprietary by and with the advice and Consent of his Lordships Governour and The upper and Lower Houses of Assembly and The Authority of the same That the Judgment rendred by The Justices of The provincial Court held at Annapolis on The Seventeenth Day of May Anno Domini Seventeen hundred and Twenty Six against the said Sunderland at the Suit of Samuel Gover on An Appeal be from henceforth Reversed made Null and void and that no Officer Or Sherriff presume To serve any Execution thereon for the Recovery of Any Cost recovered in the said provincial Court by the said Gover against the said Sunderland and that the Judgment rendred against the said Samuel Gover in Calvert County Court at the Suit Of the said Sunderland who as well for his Lordship the Lord Proprietary as himself Prosecuted in so farr as relates to four Thousand pounds of Tobacco and Cost of Suit awarded to the said Sunderland in the af<sup>d</sup> County Court be affirmed and valid in Law as if no Appeale had Ever been Granted and That This Act is Supersedeas to Any writt of Restitution awarded for the Af<sup>d</sup> Costs and ffour Thousand pounds of Tobacco Provided nevertheless that the said Samuel Gover shall not be held Or Obligated to pay any of the said Sunderlands Costs of suit On the Judgment obtained by him the said Sunderland in Calvert County Court Af<sup>d</sup> any Law Statute Useage or Custom to the Contrary notwithstanding.

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Liber LL, 5 Acts  
Acts of 1726, ch. 13

An Act Impowering a Committee to Lay Assess and apportion the publick Levy for This present year Seventeen hundred and Twenty six.

Whereas This present Generall Assembly have for Defraying the publick Charge of This province to the Twenty Third day of July Instant Raised a Certain Sum of Tobacco and money amounting to two hundred and Sixty Six Thousand & Thirty five pounds of Tobacco and One hundred and fifty six pounds Two Shillings & Tenn pence half penny Current money as by the Journalls of The

p. 141 Committee of accounts appears but by Reason more publick Charges may arise and Grow due before The usuall and Accustomed Time of payment which Is the Tenth of November yearly at which Time again To Call and Convene the whole Assembly for that Occasion only Considering The Great Number of Them and The Remoteness of Their Habitations from the place appointed would be very Chargeable and Troublesome to the whole province in Generall Be it Enacted by the Right honourable The Lord Proprietary by and with the advice & Consent of his Lordships Governour and the upper and Lower Houses of Assembly and The authority of the same That the Honourable Coll Thomas Addison Coll Mathew Tilghman Ward & Benjamin Tasker Esq<sup>r</sup> members Of his Lordships Honourable upper House of Assembly And The Honourable Robert Ungle Esq<sup>r</sup> Coll Thomas Truman Greenfield James Harris Esq<sup>r</sup> John Beale Esq<sup>r</sup> Co<sup>ll</sup> John Makall Cap<sup>t</sup> George Dent Cap<sup>t</sup> Levin Gale Cap<sup>t</sup> Henry Hooper L<sup>t</sup> Coll. John Ward M<sup>r</sup> W<sup>m</sup> Hamilton M<sup>r</sup> Ralph Crabb M<sup>r</sup> W<sup>m</sup> Elliott of the Honourable Lower House of Assembly or the Major part of Them be and Appear at the City of Annapolis The fourth Tuesday of October next then and There to Lay and Assess the publick Levy already raised and also to allow Levy and assess what further Charges may Accrew which to Them shall Justly appear To be due from the publick not Exceeding six hundred Thousand pounds of Tobacco and five hundred pounds Current money of This province more than what is already Raised and Likewise to apportion order and pay Out of the publick Treasury of this province The Sum of One hundred and ffifty Six pounds two Shillings and Ten pence half penny Current money of this province to the Several persons to whom the same shall be due as by The Journalls of The

p. 142 Comittee of Accounts appears and a fair Journall of all Their proceedings To be Delivered to the Clerk of the Assembly for Satisfaction of all persons therewith Concerned by the Last day of November next and if it shall happen that his Excellency shall please to Convene An Assembly before The said Fourth Tuesday in October next aforesaid then This present Act and Every Clause therein Contained shall be void & of no fforce.

An Act for the Naturalization of Francis Ludolph Bodien of Kent County Chirurgon and his Children. Liber LL, 5  
Acts  
Acts of 1727,  
ch. 12  
p. 160  
[Other Acts  
of this  
Session are  
printed in  
Vol. 36  
of the  
Archives]

Be it Enacted by the R<sup>t</sup> Hon<sup>ble</sup> the Lord Prop<sup>r</sup> by & with the Advice & Consent of his Lordships Governour & the Upper & Lower houses of Assembly of this province and the Authority of the same that Francis Ludolph Bodien of Kent County Chirurgon born under the Dominion of the Emperor of Germany and his Children already born Viz. Anne, Eliz<sup>a</sup> Henry Augustus, Sophie Sidonia, and Hannah Bodien, and those hereafter to be born within this province shall for ever hereafter be Adjudged Deemed & taken as true Lawfull freeborn Subjects and be and are hereby Enabled to purchase have hold & Enjoy any reall Estates of Inheritance in this province and to hold Maintain & Defend any Action or Actions Reall & Personall in any his Lordships Courts of Record of this province and to have hold & Enjoy all previledges and freedoms whatsoever as any his Majestys naturall born Subjects of this province may or Can have Challenge or Demand any Law usage or Custom to the Contrary notwithstanding.

An Act to make Valid a Deed of bargain & Sale from W<sup>m</sup> Rogers & Mary his wife to Jn<sup>o</sup> Tenneson of Charles County when Recorded Acts of 1727,  
ch. 13

John Tenneson of Charles County haveing by his humble pet<sup>t</sup> set forth that in the year of our Lord One thousand Seven hundred & Twelve he purchased of a Certain Philemon Hemsley and Mary his wife one hundred & thirty five acres of Land part of an Other Tract Called Strife for the Valuable Consideration of Twelve thousand pounds of Tob<sup>o</sup> and that th<sup>o</sup> he often Importuned them to Execute a Deed for that purpose Drawn & had made severall fruitless Journys to Annapolis for that End and been at Great Expence & fatigue yet was allways put of with frivolus Excuses & Delays till after the Death of the said Philemon and Intermarriage of the said Mary with M<sup>r</sup> William Rogers when being by him again Solicited They promised the said Tenneson to Execute a Deed and send the same Down to him without Occasioning him any further Trouble or Expence for the fullfilling of which the said Tenneson waited untill he heard of the Death of M<sup>rs</sup> Rogers when again Coming up to Annapolis on that Occasion he found a Deed had been Executed in the Life time of the said Mary bearing date the Twenty Sixth day of October Anno Dom: Seventeen hundred & Twenty three and he had neither notice Given According to promise or any Knowledge thereof till that time being May Seventeen hundred & twenty six whereby the said Tenneson became Intirely Deprived of the benifit of haveing the same Enrolled according to Law wherefore the said Tenneson hath in humble Manner Pray'd Leave to bring in a bill to Supplye the Defect af<sup>d</sup> and for that the Truth of the s<sup>d</sup> Tennesons Allegations is made Appear to this Generall Assembly and the Deed aforementioned produced Signed & Acknowledged in p. 161

Liber LL, 5 Due form of Law before the Hoñble Jn<sup>o</sup> Mackall Esq<sup>r</sup> one of the then  
 Acts Justices of the Prov<sup>l</sup> Court Tis therefore prayd that it may be  
 Enacted

And be it Enacted by the R<sup>t</sup> Hoñble the Lord prop<sup>ry</sup> by and with the Advice & Consent of his Lordships Governour & the Upper and Lower houses of Assembly and the Authority of the same that it shall & may be Lawfull for the said John Tenneson at any time w<sup>th</sup>in six months after the End of this Session of Assembly to Enroll or Cause to be Entered on the Records of Charles County the Deed of Sale of the Tract of Land aforesaid purchased from the said Philemon & Mary his wife made Over by W<sup>m</sup> Rogers & the said Mary as aforemencōned and when so Enrolled the said John Tenneson His heirs & Assignes for Ever shall by vertue thereof and of this Act be Invested with the same Estate Right Title Interest property Claim & Demand of in and to the said Tract of Land part of a Tract of Land Called Strife and shall have hold Occupy and Possess & Enjoy all and Singular the Rights Members and Appurtenances to the Same belonging and in any wise Appertaining in as full and Ample Manner to all Intents Constructions and purposes in the Law whatsoever as if the said Deed had been Recorded within Six months from the date and Acknowledgement of the said Deed any Law Statute useage or Custom to the Contrary in any wise notwithstanding Saveing to the Kings most Excellent Majesty and the Lord proprietary their  
 p. 162 heirs & Successors and all bodies Politick and Corporate and all others not Mencōned in this Act their Severall & Respective Rights.

Acts of 1727, An Act for the Naturalization of Daniel Maynadier of Talbot County  
 ch. 14 Clk & his Children

Be it Enacted by the R<sup>t</sup> Hoñble the Lord prop<sup>ty</sup> by & with the advice & Consent of his Lordships Gov<sup>r</sup> and the Upper & Lower houses of Assembly & the Authority of the same that the said Dan<sup>l</sup> Maynadier being born under the Dom<sup>n</sup> of the King of France and his Children Already born Viz. Dan<sup>l</sup> & Jane Manadier be Enabled & Adjudged to all Intents & purposes to Demand & Challenge, have hold and Enjoy any Lands Tenements Rents & Hereditam<sup>ts</sup> w<sup>ch</sup> he is or may in any wise be Entitled to within this province as if he the said Dan<sup>l</sup> Maynadier had been a free & Natural born Subject & Liege p<sup>son</sup> of his most Sacred Majesty King George the second he the said Daniel Maynadier haveing taken the usuall Oaths to the Governm<sup>t</sup> Appointed by Law, and alsoe Justifiye and Defend all and all Manner of Actions, Suits plaints Pleas & Other Demands whatsoever within this province as Liberally freely frankly fully Lawfully & Securely as if he the said Dan<sup>l</sup> Maynadier had been his Majestys Naturall born Subject & Liege p<sup>son</sup> any Law Statute useage or Custom to the Contrary in any wise notwithstanding.



An Act for the Makeing Good and Valid a Certain Indenture or Deed of Bargain and Sale from Bartholomew Atkison & Sebere his wife late of Baltimore County to John Hurd of Ann<sup>n</sup> County.

Liber LL, 5  
Acts  
Acts of 1727,  
ch. 15  
p. 163

Whereas the said John Hurd has Petitioned this present Generall Assembly that an Act may pass for the Confirming the Recording a Certain Deed of bargain and Sale made by the said Bartolomew Atkison and Sebera his wife to the said John Hurd for all that Tract or parcell of Land Called Aliens Rest lying on the South side of Potapasco River in Baltimore County (but now in Ann<sup>n</sup> County) the same being part of a Tract of Land Laid out for Maurice Baker and Called Bakers Addition which said Deed bears date the Twenty ninth day of November in the year of our Lord God Seventeen hundred & twenty one and the said John Hurd Alledges further by his said petition that the said Deed is Duly Executed and Acknowledged According to Law but not recorded within the time Limited by Law that he is not relievable in the premisses but by the Aid of this Generall Assembly, the said Bartholomew Atkison and Sebera his wife being run away some years past out of this province to some Other Place Unknown to the said John Hurd so that its not in the power to get new deed Executed by them and for as much as the said John Hurd has made Appear to this Generall Assembly the Severall Allegations by him above in the premisses Alledged to be true it is humbly prayd that it may be Enacted.

And be it Enact by the R<sup>t</sup> Ho<sup>u</sup>ible the Lord Proprietor by and with the Advice & Consent of his Lordships Govern<sup>r</sup> and the Upper and Lower houses of Assembly and the Authority of the same that the said Deed shall be deemed had and held as Effectuell in Law to all Intents Constructions and purposes whatsoever as if the same Deed had been Duly Recorded According to the Directions of An Act of Assembly of this province Entituled an Act for Quieting Possessions Inroleing Conveyances & Secureing the Estates of Purchasers any thing in the Last mencōned Act or any Other Law Statute or useage to the Contrary Notwithstanding Provided that the said John Hurd his heirs or assignes shall procure the same Deed to be Recorded in the Land Records of Ann Arundell Co<sup>ty</sup> within Six months after the End of this present Session of Assembly Saving to our Sovereigne Lord the King his heirs and Successors the Lord Proprietor his heirs & Successors and all bodies politick and Corporate and all Others not Mencōned in this Act their Severall and Respective Rights.

An Act for the Makeing Good & Valid in Law a Certain Deed of bargain & Sale from John Brown of Prince Georges County to John Frazer of Calvert County Mariner.

Acts of 1727,  
ch. 16  
p. 164

Whereas Ephraim Gover of Calvert County by his humble Pet<sup>n</sup> to this present Assembly hath set forth that he has heretofore Viz.

Liber LL, 5 the ninth day of June Anno Domini Seventeen hundred & Twenty  
 Acts six purchased from a Certain John Frazer of Calvert County part of  
 a Tract of Land Lying in the said County Called Archers Hays sold  
 by a Certain John Bowen of Prince Georges County to the said John  
 Frazer but forasmuch as the said John Fraser being an Illiterate  
 person has neglected to Record the Deed from the said John Bowen  
 to him made & for that the said Bowen is since Deceased the pet<sup>r</sup>  
 Cannot obtain a new deed thereof and for that the truth of the Alle-  
 gations of the said Petition is made Appear to this present Assembly  
 and that Notice has been Duly Given to all p<sup>rs</sup>ons Concerned pur-  
 suant to the Order of the Last Session of Assembly It is humbly  
 pray'd that it may be Enacted

And be it Enacted by the R<sup>t</sup> Honourable the Lord Proprietary by  
 and with the Advice & Consent of his Lordships Gov<sup>r</sup> and the Upper  
 and Lower houses of Assembly and the Authority of the same that  
 the said Ephraim Gover his heirs and assignes on Recording the said  
 Deed from the said John Bowin to the said John Frazer w<sup>th</sup> in six  
 months from the End of this present Session of Assembly in the  
 Records of Calvert County Court shall for ever hereafter have hold  
 and Enjoy as good sure Indefeazable Estate of Inheritance in fee  
 Symple of in and unto the said part of the Tract of Land so as  
 aforesaid Conveyd by the said John Bowen to the said John ffrazer  
 in as full and Ample Manner to all Intents Constructions and pur-  
 poses in the Law whatsoever as if the said Deed had been Duly  
 Recorded According to the Directions of the Act of Assembly for  
 Quieting possessions Enrolling Conveyances & Secureing the Estates  
 of Purchasors any thing in the said Act to the Contrary in any wise  
 p. 165 notwithstanding Saveing to his most sacred Majesty, the R<sup>t</sup> Hoñble  
 the Lord Prop<sup>ty</sup> their heirs & Successors and all bodies Politick &  
 Corporate and all Others not Mencōned in this Act their Severall &  
 Respective Rights.

Acts of 1727, An Act for the Naturalization of John Woolf of the City of An-  
 ch. 14 napolis Shoemaker, Hannah Woolf his wife Peter Woolf the son  
 of the said Jn<sup>o</sup> Woolf Annelesse Woolfe and Hanna Woolfe  
 Daughters of the said Jn<sup>o</sup> Woolfe and Maudlin Woolfe of the  
 said City Spinster and Garrett Woolf of the said City Shoemaker.

Be it Enacted by the R<sup>t</sup> Hoñble the Lord Prop<sup>ty</sup> by and w<sup>th</sup> the  
 advice and Consent of his Lordships Governour & the Upper & Lower  
 houses of Assembly and the Authority of the same that the said  
 John Woolf and Hannah his wife Peter Woolf the son Annelesse  
 Woolf and Hannah Woolf the Daughters of the said John Woolf  
 Garrett Woolf and Maudlin Woolf being born in Germany under  
 the Dom<sup>n</sup> of the Emperor be Enabled and Adjudged to all Intents  
 and Purposes to Demand Challenge have hold and Enjoy any Lands  
 Tenements Rents & Hereditaments to which they or any of them

may be Entituled to within this Province as if they the said John Woolf and Hannah his wife Peter Woolf the son Annelesse Woolfe and Hannah Woolfe the daughters of the said John Woolfe and Maudlin Woolfe of the said City Spinster and Garrett Woolfe had been free and Naturall born Subjects and Leige psons of his Most Sacred Majesty King George the Second they the said John Woolf & Garrett Woolfe haveing taken the usuall Oaths to the Government Appointed by Law and alsoe that they the said John Woolf and Hannah Woolfe his wife Peter Woolf the son Annelese Wolfe and Hannah Woolfe the Daughters of the said John Wolf Garrett Woolfe and Maudlin Woolfe be and are hereby Enabled to Maintain prosecute Avow Justifye and Defend all and all Manner of Actions Suits Plaints Pleas and Other Demands whatsoever within this province as Liberally Frankley freely fully Lawfully and Securely as if they the said Jn<sup>o</sup> Woolf and Hannah his wife Peter Woolf the son Annelese Woolf & Hannah Woolfe the Daughters of the said John Woolfe Garrett Woolfe & Maudlin Woolfe had been his said Majestys Naturall born Subjects & Leige People any Law Statute useage or Custom to the Contrary in any wise notwithstanding.

Liber LL, 5  
Acts

p. 166

An Act for the Naturalization of John Samuel Mynskie of the City of Annapolis Blacksmith and Catherine Mynskie his wife and Susanah Mynskie his Daughter.

Acts of 1727,  
ch. 18

Be it Enacted by the Right Honourable the Lord proprietary by and with the Advice and Consent of his Lordships Governour and the Upper and Lower houses of Assembly and the Authority of the same that the said John Sam<sup>l</sup> Mynskie and Catherine his wife and Susanah his Daughter born in the Province of Brandenburg in the Kingdom of Prussia and under the Dom<sup>n</sup> of that King be Enabled and adjudged to all Intents and purposes to Demand and Challenge have hold and Enjoy any Lands Tenements Rents and Hereditaments to which they or any of them may in any wise be Intituled to within this Province as if they the said John Sam<sup>l</sup> Minskye and Kath<sup>e</sup> his wife and Susanah his Daughter had been free and Naturall born Subjects and Leige persons of his Most Sacred Majesty King George the second he the said John Sam<sup>l</sup> Minskie haveing taken the usuall Oaths to the Government Appointed by Law and alsoe that they the said John Sam<sup>l</sup> Mynskie and Katherine his wife and Susanah his Daughter are hereby Enabled to Maintain Prosecute avow Justifye and Defend all and all Manner of Actions Suits Plaints Pleas and Other Demands whatsoever w<sup>th</sup>in this province as Liberally frankly freely fully Lawfully and Securely as if they the said John Samuel Mynskie and Katherine his wife and Susanah his wife Daughter had been his said Majestys Naturall born Subjects and Leige psons any Law Statute Useage or Custom to the Contrary in any wise notwithstanding.

p. 167

Liber LL, 5 An Act for the Makeing Good and Valid in Law a Certain Inden-  
 Acts of 1727, ture or Deed of Bargain and Sale from John Gray of Ann Arundell  
 ch. 19 County to Theophilus Kitton late of Baltemore County Planter.

Whereas Edward Kitton by his humble Petition to this Present Generall Assembly hath set forth that the said John Gray did bargain & sell unto Theophilus Kitton father to the said Edward Kitton by his deed of bargaine and Sale bearing date the Sixteenth day of November 1699 duly made Executed and Acknowledged for the Consideration therein Mencōnd a Certain Tract of Land Called Grays Luck Cont<sup>s</sup> three hundred & Sixty one Acres Lying then in Baltemore County but now in Ann Arundell County and further the said Edward Kitton hath set forth that upon Inspecting into his papers relating to his Title to the said Land discovered that the deed af<sup>d</sup> hath never been Recorded for want of which the said Edward Kittons title to the said Land is Defective, the Act of Assembly of this province Entituled An Act for Quieting possessions Enrolling Conveyances and Secureing the Estates of purchases being obligatory and all purchasers to Record their deeds within Six Months from the date of the Executing thereof or that no Lands by the said Act shall pass by such Deeds and the said Edward Kitton Likewise hath set forth that it is not in his Power to gett any Confirmation of his title to the said Land from the said John Gray or his heirs there being none of them as he the said Edward Kitton Knows of to Apply to.

And for as much as the said Edward Kitton hath made Appear to  
 p. 168 this Generall Assembly the Severall Allegations by him above in the Premisses Alledged to be true it is humbly prayd that it may be Enacted.

And be it Enacted by the R<sup>t</sup> Hoñble the Lord Prop<sup>ry</sup> by and with the Advice & Consent of his Lordships Govern<sup>r</sup> and the Upper and Lower houses of Assembly and the Authority of the same that the said Deed shall be Deemed had & held as Effectual in Law to all Intents Constructions & Purposes whatsoever as if the same Deed had been duly Recorded According to the Directions of the Act of Assembly af<sup>d</sup> any thing in the said Act or any Other Law Statute or usage to the Contrary notwithstanding.

Provided that the said Edw<sup>d</sup> Kitton his heirs or Assignes shall procure the same deed to be Recorded in the Land Records of Ann Arundell County within Six Months after the End of this Present Sessions of Assembly Saveing to his Most Sacred Majesty the R<sup>t</sup> Hoñble the Lord Prop<sup>ry</sup> their heirs & Successors and all bodys Politick and Corporate and all Others not mencōned in this Act their Severall and Respective Rights.



An Act Impowering Certain Comm<sup>rs</sup> to Vend and Dispose of the Lands whereof Sam<sup>l</sup> Groome the younger Dyed Seized or was Mortgagee in fee or Otherwise within this Province as alsoe to sell and Dispose of so much of the said Land as will Satisfye Betty Gale and Levin Gale Ex<sup>rs</sup> of the Testam<sup>t</sup> of Levin Denwood late of Som<sup>r</sup>set County Decēd the sune of Eight hundred and Twenty pounds five shillings and Seven pence Sterling due from the said Samuel Groome the younger to the said Levin Denwood and yet unsatisfyed to the said Betty Gale and Levin Gale his Executors.

Liber LL, 5  
Acts  
Acts of 1727,  
ch. 20

Wherein Levin Denwood late of Somerset County Decēd had very Considerable Dealings with Sam<sup>l</sup> Groome the Elder late of London Merchant deceased insomuch that there remained Due to the said Denwood a very Considerable Sum of Money at the time of the Death of the said Samuel Groome.

And Whereas on the Death of the said Samuel Groome the Elder great part of his Estate Especially his Dealings fell into the hands of Samuel Groome the son of the said Samuel Groome the Elder who Proved Unsuccessfull in his business and broke to the Prejudice of the said Levin Denwood the Sune of Eight hundred and Twenty pounds five shillings and Seven pence Sterling whereby the said Levin Denwood at the time of his Death and his Ex<sup>rs</sup> Since that time remain Unsatisfyed thereof And Whereas it is Represented to this present Generall Assembly that there is no psonall Estate of the said Sam<sup>l</sup> Groome within this Province to Satisfye the same But forasmuch as there are Severall Tracts of Land within this province whereof the said Samuel the Younger at the time of his breaking was Seized or was Mortgagee in fee or Otherwise which as yet Remain Unredeemed by the Debtors & Undisposed of by the said Samuel which will be of Value if Sold to Satisfye the Greatest part of the said Claim, but at Present Lie Useless to any of the Creditors of the said Groome and for that the most Expedient way to prevent the Great Damage and Loss that will Otherwise Accrue to the Estate of the said Levin Denwood, will be to Appoint Trustees or Commissioners to Dispose of so much of the Lands and Tenements whereof the said Samuel the Younger at the time of his breaking was Seized or was Mortgagee in fee or otherwise and as yet remain Unredeemed by the Debtors and Undisposed off by the said Samuel as shall be sufficient to reimburse the said Betty Gale and Levin Gale Executors of the said Levin Denwood the said sune of Eight hundred and Twenty pounds five shillings and Seven pence Sterling together with the Costs and Charges that must necessarily accrue about the recovery of the same and for that the Justice of the Claim hath been fully made Appear and notice hath been Given in the most Publick Manner that if any of the Ten Tenants had any

p. 169

Liber LL, 5 objections to the same they might be heard before this present  
 Acts General Assembly in relation thereto but none have Appeared Be  
 it therefore Enacted by the R<sup>t</sup> Ho<sup>n</sup>ble the Lord Prop<sup>ty</sup> by and with  
 the advice and Consent of his Lordships Governour and the Upper  
 and Lower houses of Assembly and the Authority of the same that  
 M<sup>r</sup> Thom<sup>s</sup> Worthington M<sup>r</sup> Walter Smith and M<sup>r</sup> Roger Mathews  
 or any two of them be and are hereby Appointed Commissioners or  
 Trustees on the Western Shore and that Coll. Ephraim Augustine  
 Hernan M<sup>r</sup> James Holliday and Capt. Henry Hooper or any two  
 of them be and are hereby appointed Commiss<sup>rs</sup> or Trustees on the  
 Eastern Shore to sell and dispose of to the best bidder so much of  
 the Lands and Tenements whereof the said Samuel Groome the  
 Younger was Seized or was Mortgagee in fee or otherwise and yet  
 remain Unredeemed by the Debtors and Undisposed of by the said  
 p. 170 Samuel the Younger as shall be Suff<sup>t</sup> to make the said Betty Gale  
 and Levin Gale Executors of the said Levin Denwood full Satis-  
 faction and Compensation for the said Sume of Eight hundred and  
 Twenty pounds five Shillings & Seven pence Sterl together with  
 such Costs and Charges as they shall be at about the Recovery thereof  
 and to make & Execute any Deed or Deeds Conveyance or Convey-  
 ances for the Confirmation of such Sale And be it further Enacted  
 by the Authority Advice & Consent af<sup>d</sup> that the said Samuel Groome  
 the Younger his heir or heirs Devisee or Devisees and the Devisee  
 or Devisees of the said Samuel Groome the Elder and the Mortgagers  
 of any Lands or Tenements so Intended by this Act to be Disposed  
 off shall by Vertue of this Act and any Deed or Deeds to be made and  
 Duly Executed by the said Commiss<sup>rs</sup> be forever barr'd and fore-  
 closed from having or Recovering any Lands or Tenem<sup>ts</sup> to be sold  
 by the said Commissioners by Vertue of and in Compliance with this  
 Act any Law Statute or usage to the Contrary notwithstanding.  
 And in Case Either of the Commiss<sup>rs</sup> on Either of the shores af<sup>d</sup> shall  
 depart this Life before the Execution and Determination of the trust  
 hereby in them Reposed that then the other two Surviving Com-  
 miss<sup>rs</sup> or Trustees shall be and they are hereby Impowred to make  
 Choice of some other Third person as a Commiss<sup>r</sup> or Trustee in the  
 stead of the said Commiss<sup>r</sup> or Trustee so Deceased which said third  
 Commiss<sup>r</sup> or Trustee so Elected shall have Equall right and Previ-  
 ledge with the Other two Surviving Trustees or Commisors and so  
 often as need shall require by Death of any one Commiss<sup>r</sup> or Trustee  
 as af<sup>d</sup> the two Surviving Commiss<sup>rs</sup> or Trustees shall Proceed  
 Immediately in the Manner above mencōned to the Election of an  
 other untill the Trust by them in this Act reposed shall be fully  
 Determined.

Provided Nevertheless that in Case any of the Mortgagers of the  
 Lands that are Intended to be sold by vertue of this Act shall be  
 minded and willing to pay and shall w<sup>th</sup>in Six Months after the end

of this Session of Assembly pay & Satisfye the said Betty Gale and Levin Gale the Ex<sup>rs</sup> of the said Levin Denwood the principall Money and Interest which shall have arisen due on Such Mortgage or Mortgages that then such Mortgager or Mortgagers shall have again & Enjoy such Lands so Mortgaged as af<sup>d</sup> in such Manner as if the Tenour of such Mortgage or Mortgages had been Complied w<sup>th</sup> any thing in this Act Contained to the Contrary notwithstanding Saving to our Sov<sup>n</sup> Lord the King the Lord Prop<sup>ty</sup> their heirs & Successors and all bodies Politick and Corporate and all Others not Mencōned in this Act their Severall and Respective Rights

Liber LL, 5  
Acts

p. 171

An Act for the Recording of a Deed Indented of Bargain and Sale from Mary Orrell Decēd to John Bickerton of Ann Arundell County.

Acts of 1727,  
ch. 22  
p. 177

Whereas John Orrell late of Dorchester County Decēd was in his Life time Seized in fee Symple of a parcell of Land Containing thirty Acres part of a Tract of Land Called Broughton Ashley lying in Ann Arundell County and by his Last will & Testament dated the Sixteenth Day of December in the year of Our Lord One thousand Seven hundred and Twenty three and Duly Executed Impowred Mary Orrell his Relict and Executrix to sell and Dispose of the said thirty Acres of Land for the payment of his Debts and Whereas the said Mary Orrell pursuant to the said Power and for the purposes af<sup>d</sup> by her deed Indented of Bargain and Sale bearing date the thirtieth day of Aprill in the year of our Lord One thousand Seven hundred & Twenty Six did bargain Sell Alien Enfeoffe Remise Release Confirm and make Over unto John Bickerton his heirs and Assignes the af<sup>d</sup> Parcell of Land Butted and bounded as in the said Deed is Mentioned being part of the said Tract of Land Called Broughton Ashley af<sup>d</sup> and the said Mary Orrell after she had Executed the said Deed by Signing & Sealing the same on the af<sup>d</sup> Thirtyeth day of Aprill Acknowledged before the W<sup>m</sup> Loch Esq<sup>r</sup> then and now one of his Lordships Justices of the prov<sup>l</sup> Court of this province of Maryland the said Deed and the Lands and premisses therein Mentioned to the said John Bickerton According to the Directions of the Act of Assembly in such Cases Provided and after such Execution and Acknowledgm<sup>t</sup> as af<sup>d</sup> of the said Deed Indented she the said Mary Orrell Delivered the said Deed to Samuel Chew Sen<sup>r</sup> of Herring bay with Directions that he should procure the same to be Recorded Either in the Land Record Books of the Prov<sup>l</sup> Court or in the Land Record Books of the said Ann Arundell County Court within the time Limited and Directed by the Act of Assembly Intituled an Act for quieting Possessions Enrolling Conveyances and Secureing the Estates of Purchasers And Whereas the said Samuel Chew soon after the receipt of the said Deed from

Liber LL, 5 the said Mary Orrell being Obliged to make a Voyage from this  
 Acts Province into Great Brittain Left the said Deed behind him in order  
 to be Recorded pursuant to the Directions of the said Act of Assembly  
 which was Neglected to be Done by those to whome he had  
 Intrusted the said Deed as af<sup>d</sup> And Whereas by such Omission the  
 time prescribed by the said Act of Assembly is Elapsed and the said  
 Mary Orrell is alsoe Dead by which Accidents the purchase of the  
 said John Bickerton Cannot take Effect nor the Power and Trust  
 Reposed in the said Mary Orrell by the will of the said John Orrell  
 be Executed or Complied with unless by the Interposition of a

p. 178 Legislative power, for the Remedyng whereof and Securing to  
 the said John Bickerton his said Land so purchased as af<sup>d</sup> as well  
 as for the fulfilling the Intention of the said Testator John Orrell  
 Be it Enacted by the R<sup>t</sup> Ho<sup>n</sup>ble the Lord Prop<sup>ty</sup> by and with the  
 Advice and Consent of his Lordships Govern<sup>r</sup> and the Upper and  
 Lower houses of this present Generall Assembly and the Authority  
 of the Same that it shall and may be Lawfull for the said Recited  
 Deed Indented to be Recorded in the Land Records of the Prov<sup>ll</sup>  
 Court of this Province or in the Land Records of Ann Arundell  
 County Court at any time within Six months from the end of this  
 Present Session of Assembly and that the same Deed with the  
 Acknowledgment thereon when Recorded as af<sup>d</sup> and Every part  
 thereof shall be as good and Valid in Law to all Intents Constructions  
 and Purposes and that the said Lands & Premisses in the said Deed  
 mencōned and Intended to be thereby Granted shall by Vertue thereof  
 & of this Act pass from the said John Orrell Mary Orrell or Either of  
 them their or Either of their heirs or assignes to the said John Bick-  
 erton his heirs & assignes in as full and Ample Manner as if the said  
 Recited Deed Indented from the said Mary Orrell to the said Jn<sup>o</sup>  
 Bickerton had been duly Recorded in the Land Records of the said  
 Prov<sup>ll</sup> Court or in the Land Records of the said Ann Arundell County  
 Court within the time Limited by the said Act of Assembly. the want  
 of Recording the same deed or any Law Statute usage or Custom to  
 the Contrary thereof in any wise notwithstanding Saving to his  
 Most Sacred Majesty, the Right Honourable the Lord Prop<sup>ty</sup> their  
 heirs and Successors and all bodies Politick and Corporate and all  
 Others not Mencōned in this Act their severall and Respective  
 Rights

Acts of 1727, An Act for the Recording an Indented Deed of Bargain and Sale  
 ch. 23 being the Counter part or Duplicate of an Originall Deed of  
 p. 179 Bargain & Sale from Mary Bateman and Henry Scarberough to  
 Richard Perry.

Whereas John Bateman Deceased formerly a Resident on Patux-  
 ent River was in his life time Seizd in fee of Severall Tracts and



Parcells of Land in this Province after whose Death Mary Bateman <sup>Liber LL,5</sup> Daughter and Heir at Law of the said John Bateman & Mary Bateman <sup>Acts</sup> widdow and Relict of Him the said John Bateman in Right of her Dower became Entituled to & were Seized of all the said Lands belonging to the said John Bateman in this Province which said Mary the Daughter and Mary the Mother being so Seized removed from this Province into England where the said Mary the Mother Intermarried with Henry Scarborough a Resident in England, And Whereas after such Intermarriage by a deed Indented of Bargain and Sale bearing date the Eighteenth day of November in the year of our Lord One thousand Six hundred & Seventy four and made between the said Mary Bateman then of London Spinster Daughter and Heir of Jn<sup>o</sup> Bateman late of London Haberdasher Deceased Otherwise Called John Bateman late of Patuxent River in the Province of Maryland in America Planter & of Mary Bateman wife and afterwards the widdow of the said John Bateman and the said Henry Scarborough of North Walsham in the County of Norfolk Gent: of the one part and Rich<sup>d</sup> Perry of Patuxent of Maryland Merchant of the Other part the said Mary Bateman the daughter of the said John Bateman and the said Henry Scarborough by way of Confirm<sup>n</sup> for the Consideration of five hundred & Twelve pounds Sterl did bargain and sell all the Plantations and Lands which were purchased by or Convey'd unto the said Jn<sup>o</sup> Bateman the father within this province unto the said Richard Perry his heirs and Assignes for Ever.

And Whereas the said Richard Perry by his Last will & Testament dated the twentyeth day of January in the Year of our Lord One thousand Six Hundred and Eighty four devised to the Children of his brother William Perry all the Residue of his Estate real & psonall by Vertue of which Devise George Perry John Perry Jun<sup>r</sup> Eliz<sup>a</sup> Perry Mary Perry, Dorothy Baron and Anne Templer Children of the said W<sup>m</sup> Perry and Henry Baron the Husband and in Right of his wife the said Dorothy Baron and Purple Templer the husband and in the Right of the said Anne Templer became Intituled to all the Estate of the said Richard Perry in this Province And Whereas the af<sup>d</sup> Children of William Perry haveing upon Enquerry found that the said Deed Indented had not been Recorded pursuant to the Directions of the Act of Assembly then in force in such Cases made & provided but that the same had Miscarried or been Mislaidd and haveing alsoe Discovered that the said Mary Bateman & Henry Scarborough had Executed a Counter Part or Duplicate of the Originall Deed bearing date the same day and year and which said <sup>p. 180</sup> Counter part or Duplicate Appears by a Marginall note to be advised by R. Langhorne to be Executed by the said Mary Bateman Daughter and Henry Scarborough to Supply any Miscarriage of the said Originall deed and which said Counter part or Duplicate is signed

Liber LL, 5 by the said Henry Scarborough as an Exemplification of an Other  
 Acts deed of the same Tenour and Date And Whereas Coll: John Perry  
 now Resident in Great Brittain by a Probate taken the Sixteenth  
 day of November One thousand Seven hundred and Twenty Six  
 before Sir Jn<sup>o</sup> Eyles then Lord Mayor of London and Annexed to the  
 said Counter part or Duplicate Deed proved the said Counter part  
 or Duplicate Deed to be Executed by the said Mary Bateman the  
 Daughter and she to be the sole Daughter and only Child of the said  
 John Bateman And Whereas the said Duplicate or Counterpart deed  
 Appears by an Indorsment to have been Acknowledged by the said  
 Mary Bateman the Daughter before Jeremiah Mount & Thomas  
 Bates and no person whatsoever haveing been known or heard to  
 Claim any of the said Lands in the said Deed Mencōned Except those  
 who have Derived under the said Originall purchase deed from the  
 said Mary Bateman and Henry Scarborough to Richard Perry af<sup>d</sup>

Be it Enacted by the R<sup>t</sup> Hoñble the Lord Prop<sup>ty</sup> by and with the  
 Advice & Consent of his Lordships Governour and the Upper and  
 Lower houses of this present Generall Assembly and the Authority  
 of the same that it shall and may be Lawfull for the said Recited  
 Counter part or Duplicate Indented deed and the Acknowledgment  
 made thereon by the said Mary Bateman the Daughter as af<sup>d</sup> to be  
 Recorded in the Land Records of the Provincial Court of this  
 Province at any time within Six Months from the End of this  
 Present Session of Assembly and that the same Counter part or  
 Duplicate Indented deed with the af<sup>d</sup> Acknowledgment thereon when  
 Recorded as af<sup>d</sup> and Every part thereof shall be as Good and Valid  
 in Law to all Intents Constructions and purposes, and the said Land  
 and Premises in the said recited Counter part or Duplicate deed  
 Mencōned and Intended to be thereby Granted shall by Vertue  
 thereof and of this Act Pass from the said Mary Bateman and Henry  
 Scarborough and Each of them their & Each of their heirs and  
 assignes in as full and Ample Manner as if the said Originall Deed  
 or the said Recited Counterpart or duplicate deed or Either of them  
 from the said Mary Bateman and Henry Scarborough to the said  
 Richard Perry had been duly Acknowledged and Recorded in the  
 Land Records of the said Provinciall Court or in the Land Records  
 of any County Court of this province pursuant to the Directions of  
 and within the time Limitted by the Act of Assembly then in force  
 for that Purpose the want of Recording the same Originall Deed or  
 p. 181 of the said Recited Counter part or Duplicate Deed or any Law  
 Statute usage or Custom to the Contrary thereof in any wise not-  
 withstanding Saving to his Most Sacred Majesty: The R<sup>t</sup> Hoñble  
 the Lord Prop<sup>ty</sup> their heirs and Successors and all bodies Politick  
 and Corporate and all Others not Mencōned in this Act their Severall  
 and Respective Rights.

## An Act for the Relief of Peter Carmack

Liber LL, 5  
Acts  
Acts of 1727,  
ch. 24

Whereas Henry Gilder late of Cecil County and Mary his wife by their deed of Bargain and Sale Executed and Acknowledged According to Law before two Justices of the Peace of the said County bearing date the second day of August One thousand Seven hundred and Seventeen for the Considerations in the same deed Menconed Sold and Convey'd unto the said Peter Carmack his heirs and assigns for Ever a Tract of Land in the same deed Menconed Containing four hundred & twenty seven Acres of Land with the Appurtenances And Whereas the said deed was not Recorded According to the Directions of the Act of Assembly in such Cases Provided that by that Omission the Land Intended to be thereby Convey'd doth not pass to the said Peter and his heirs according to the true Intent and Meaning of the parties and that the said Henry Gilder who by a new deed Could Supply the af<sup>d</sup> Defect is Either Deceased or Departed out of the province wherefore the said Peter hath Humbly besought this Present Generall Assembly to Relieve him in the Premisses and prayd that it may be Enacted And be it Enacted by the R<sup>t</sup> Honble the Lord Prop<sup>ry</sup> by and with the Advice & Consent of his Lordships Governour and the Upper and Lower houses of Assembly and the Authority of the same that it shall and may be Lawfull for the Clerk of Cecill County at any time within Six Months from the end of this present Session of Assembly and the said Clerk is hereby Authorized and Required at the request of the said Peter Carmack to Enroll the said deed in the usuall form among the Land Records of Cecill County And be it further Enacted that the said Peter Carmack his heirs and assigns shall by Vertue of such Enrollment and this Act have as good and Effectual an Estate in the said Land with the Appurtenances to all Intents and purposes as if the said Deed of Bargain and Sale had been Enrolled within Six months after the Execution thereof any Law Statute useage or Custom to the Contrary Notwithstanding Saveing to his Most Sacred Majesty the R<sup>t</sup> Honble the Lord Prop<sup>ry</sup> their heirs and Successors and all bodies Politick & Corporate and all others not Menconed in this Act their Severall and Respective Rights.

p. 182

An Act for the Naturalization of Peter Montgomery of Charles  
County Planter and his Children

Acts of 1727,  
ch. 25

Be it Enacted by the R<sup>t</sup> Honble the Lord Prop<sup>ry</sup> by and with the advice & Consent of his Lordships Governor and the Upper and Lower house of Assembly and the Authority of the same that Peter Montgomery of Charles County a native of france and his Children already born Viz. Francis and John Baptista Montgomery and Every of them shall from hence forth be adjudged Reputed and taken as Naturall born people of this Province of Maryland and that they and Every of them by the Authority af<sup>d</sup> be Enabled and adjudged to

Liber LL, 5 all Intents and Purposes to Demand Challenge ask have hold and  
 Acts Enjoy any Land Tenements Rents & Hereditaments to which they  
 might in any wise be Entitled as if they were free and Naturall born  
 Subjects and Leige People and alsoe that they and Every of them  
 shall & may be Enabled to Maintain prosecute avow Justifye and  
 Defend all Manner of Actions Suits pleas Plaints and other Demands  
 whatsoever as Liberally frankley freely fully and Securely as if they  
 and Every of them had been Naturall born People and Subjects of  
 his most Sacred Majesty King George the second any Law Statute  
 useage or Custom to the Contrary in any wise notwithstanding.

Acts of 1727, An Act to Confirm to W<sup>m</sup> Ford of Ann Arundell County two Tracts  
 ch. 26 of Land herein after Mencōned.  
 p. 183

[Note. Is  
 this date in  
 old and new  
 style?]  
 Whereas the said William Ford by his humble Pet<sup>n</sup> to this Present  
 Generall Assembly has set forth that in the year Seventeen hundred  
 and Twenty two three he did agree with a Certain Stephen Price of  
 Baltemore County for the Purchase of two Tracts of Land the One  
 Called Cumber Ridge and the Other being part of a Tract of Land  
 Called Paper Ridge the first Containing One hundred and Seventy  
 Acres & the Latter fifty acres for the Consideration of Sixty pounds  
 Sterling and that he the said Stephen Price & the said William  
 Ford did Proceed so farr to the Perfecting the said Agreement be-  
 tween them made that the said William Ford Entered into bond to  
 the said Stephen Price in the penalty of One hundred and Twenty  
 pounds Sterling for the payment of the Sum agreed on as af<sup>d</sup> and  
 the said Stephen Price Entered into bond in the penalty of one  
 hundred and twenty pounds Sterling with Condition that he the said  
 Stephen Price in Six Months after the date of the said bond would  
 make Over unto the said W<sup>m</sup> Ford or his heirs by a Certain Con-  
 veyance all them parcells or Tracts of Land af<sup>d</sup> and warr<sup>t</sup> and  
 Defend the said Lands from himself and his heirs and all persons  
 whatsoever that may Lay Claim from by or under him the said  
 Stephen Price and the said William Ford hath by his said Petition  
 further set forth that After the Compleating the bargain as af<sup>d</sup> the  
 said William Ford had possession Given him of the Lands af<sup>d</sup>  
 by the said Stephen Price together with the Severall Papers relateing  
 to the Title of the said Lands and that the said W<sup>m</sup> Ford hath Ever  
 Since been in Possession thereof and that sometime after the Execu-  
 tion of the said bonds the said W<sup>m</sup> Ford paid the Consideration af<sup>d</sup>  
 according to the Tenour of his bond aforesaid to the said Stephen  
 Price and the said W<sup>m</sup> Ford by his said petition hath Likewise set  
 forth that before he Could get the said Stephen Price to Convey the  
 Lands af<sup>d</sup> to the said W<sup>m</sup> Ford According to the Tenour of the  
 bond af<sup>d</sup> he the said Stephen Price dyed and that his heir at Law  
 is an Infant not above the Age of Eight Months old so that he the  
 said W<sup>m</sup> Ford Cannot have a Title made to the said Lands untill the



said heir Comes to Age all which Premisses being fully Proved to this Generall Assembly it is therefore humbly prayd that it may be Enacted And be it Enacted by the R<sup>t</sup> Honble the Lord Prop<sup>ty</sup> by and with the Advice & Consent of his Lordships Governour and the Upper and Lower houses of Assembly and the Authority of the Same that the said William Ford and his heirs & Assignes for Ever shall have hold Possess and Enjoy a good Sure and Absolute Estate of Inheritance in fee Symple of and in the af<sup>d</sup> two Tracts of Land the one Called Cumber Ridge and the Other being part of a Tract of Land Called Paper Ridge the first Containing one hundred and Seventy Acres and the Latter fifty acres w<sup>th</sup> the Appur<sup>ts</sup> thereunto belonging in as full and Ample Manner to all Intents and Purposes whatsoever as if the same Lands had been Convey'd to the said W<sup>m</sup> Ford according to the Directions of the Act of Assembly for Quieting Possessions Enrolling Conveyances and Secureing the Estates of Purchasors by the said Stephen Price According to the Tenour of the afore Recited bond any Law Statute useage or Custom to the Contrary thereof in any wise notwithstanding Provided the said William Ford his heirs or assignes Causes this Act to be recorded Either in the Land Records of the Provincially Court or the Land Records of the County where the said Land Lyeth within Six months after the End of this Session of Assembly. Saving to his most Sacred Majesty his heirs & Successors and to the R<sup>t</sup> Honble the Lord Proprietor & his heirs & Successors and to all bodies Politick and Corporate and all others not mencōned in this Act their Severall and Respective Rights.

Liber LL, 5  
Acts

p. 184

An Act for the Makeing Good and Valid in Law a Deed Indented duly Executed and Acknowledged but not Recorded from James Presbury and Martha his wife to W<sup>m</sup> Marshall & Mary his wife

Acts of 1727,  
ch. 27

Whereas Mary Marshall of Baltmore County widdow by her humble Pet<sup>n</sup> to this present Assembly hath set forth that she the said Mary and Martha Presbury late the wife of James Presbury being Coheirs to severall Tracts of Land a Devision was agreed on between William Marshall and Mary his wife and the said James Presbury and Martha his wife that upon such Agreement deeds were Interchangeably Executed and Acknowledged by the said William Marshall and the said Mary duly Recorded but the said William Marshall (the said Mary being then a feme Covert and Disabled to Act by herself) neglected to record the said James Presbury and Martha his wife their Deed to the said William and Mary made for a Tract of Land Called Collets Point Cont<sup>n</sup> four hundred Acres of Land as an Equall Devision of the Lands of which they were Coheirs wherefore for Confirming the Deed so as aforesaid made Executed and Acknowledged it is humbly prayd that it may be Enacted And be it Enacted by the R<sup>t</sup> Honble the Lord Prop<sup>ty</sup> by and with the Advice

p. 185

Liber LL, 5 and Consent of his Lordships Governour and the Upper and Lower  
 Acts houses of Assembly and the Authority of the same that the same  
 Mary Marshall her heirs and Assignes on Recording the said  
 Deed in the Records of Baltimore County Court within Six  
 months from the end of this Session of Assembly shall have hold  
 & Enjoy as Good and Sure Indefeazable Estate of Inheritance in  
 fee Symple of in and unto the said Tract of Land Called Collets  
 Point in as full and Ample manner to all Intents Constructions and  
 Purposes whatsoever in Law as if the said Deed had been duly  
 Recorded According to the Directions of the Act of Assembly for  
 quieting Possessions Enrolling Conveyances and Secureing the Es-  
 tates of Purchasors any thing in the said Act to the Contrary in any  
 wise Notwithstanding Saveing to his Most Sacred Majesty the  
 R<sup>t</sup> Hon<sup>ble</sup> the Lord Prop<sup>ry</sup> their heirs & Successors and all bodies  
 Politick & Corporate and all Others not Mencōned in this Act their  
 Severall & Respective Rights.

Acts of 1727, An Act for the Relief of John Hansteelman In Makeing Valid &  
 ch. 28 Effectual Certain Deeds of bargain and Sale from Thomas  
 Edmonds of Baltimore County and Henry Born of Cecill County  
 to John Hansteelman.

Whereas Thomas Edmonds of Baltimore County in the Province  
 of Maryland did by his Deed Indented bearing date the 13<sup>th</sup> day of  
 August Anno Domini 1704 for the Consideration of thirty pounds  
 Curr<sup>t</sup> Silver Money of Pensilvania to him in hand paid by John  
 Hansteelman before the Ensealing & Delivery thereof Bargain and  
 Sell unto the said John Hansteelman of Cecil County of the province  
 a<sup>d</sup> his heirs and Assignes all that Tract or Parcell of Land Called  
 Mount Arrarat Scituate and being on the East Side of Susquehanna  
 River in Cecill County According to its meets and bounds Cont<sup>g</sup> 150  
 acres more or Less To have & to hold the same to him the said  
 John Hansteelman his heirs & Assignes for Ever with all and Singu-  
 lar its Appurt<sup>s</sup> as by the said Deed Indented Produced to this Generall  
 Assembly more fully appears which said Deed Indented though  
 Duly Acknowledged before John Moll & John Jewart two Justices  
 of the Peace for Cecill County the 3<sup>d</sup> day of September Anno Dom.  
 1704 according to the then Laws of this Province yet by neglect or  
 Ignorance of the said John Hansteelman the said Deed was not  
 Inrolled in the Records of Cecill County according to the Laws of this  
 Province then in force And whereas Henry Born of Cecill County in  
 the Province of Maryland did by his Deed Indented bearing date the  
 12th day of Sept<sup>r</sup> Anno Dom: 1705 for the Consideration of One  
 thousand nine hundred pounds of Tob<sup>o</sup> to him in hand paid by John  
 Hansteelman before the Ensealing & Delivery hereof bargain & sell  
 unto the said John Hansteelman his heirs & Assignes all that Tract  
 or Parcell of Land Called Walnut Thicket Lying in Cecill County

on the East side of Susquehanna River According to its meets and bounds Laid out for two hundred Acres of Land more or less to have & to hold the same to him the said John Hansteelman his heirs & Assignes forever as by the said Deed Indented Produced to this Generall Assembly more fully appears which said Deed Indented though duly acknowledged before Tho<sup>s</sup> Killton John Moll & Jn<sup>o</sup> Jewart three of her Majestys Justices of the Peace for Cecill County the 12<sup>th</sup> day of Sept<sup>r</sup> Anno Dom 1705 according to the then Laws of this Province yet by the Neglect or Ignorance of the said John Hansteelman the said Deed was not Inrolled in the Records of Cecill County According to the Laws of this Province then in force. And Whereas the said Henry Borne of Cecill County in the Province of Maryland did Likewise by an Other Deed Indented bearing date the 13<sup>th</sup> day of February Anno Dom: 1705 for the Consideration of Twenty pounds Curr<sup>t</sup> Silver Money of Pensilvania to him in hand paid by Jn<sup>o</sup> Hansteelman before the Ensealing & Delivery of the said Deed Bargain & Sell unto the said John Hansteelman his heirs & assignes a Tract or Parcell of Land lying scituate & being At Octorara Creek bounded on the one side upon the said Creek and another to the said John Hansteelmans land had from Edw<sup>d</sup> Green and Cont<sup>g</sup> 400<sup>a</sup> of Land According as it is Laid out in its Severall Courses by Simon Willmour Anno Dom: 1695 To have & to hold the same unto him the said Jn<sup>o</sup> Hansesteelman his heirs & Assignes forever as by the said Deed Indented Produced to this Generall Assembly more fully Appears w<sup>ch</sup> said Deed Indented though duly Acknowledged before Tho<sup>s</sup> Killton John Moll & Jn<sup>o</sup> Jewart three of her Majestys Justices for Cecill County the 12<sup>th</sup> day of Sept<sup>r</sup> Anno Dom: 1705 yet by the Neglect or Ignorance of the said John Hansesteelman the said Deed was not Inrolled in the records of Cecill County according to the Laws of this Province then in force all which Recited Deeds not being Suff<sup>t</sup> to Pass the Estate in them Men-  
cōned according to the Purport of them and the true Intent and Meaning of the parties to the said Deeds for want of their being Recorded According to the Laws of this Province & without which the said John Hansesteelman Cant be Secure of his said purchase He Doth Supplicate this Generall Assembly that it may be Enacted & for that all & Singular the Premisses are Sufficiently made Appear Be it Enacted by the R<sup>t</sup> Honble the Lord Prop<sup>ty</sup> by and with the Advice & Consent of his Lordships Gov<sup>r</sup> & the Upper & Lower Houses of Assembly & the Authority of the same that it shall & may be Lawfull for the said Recited Deeds Indented to be Recorded in the Land Records of Cecill County at any time within Six Months from the end of this Present Session of Assembly and that the said Deeds w<sup>th</sup> the Acknowledgem<sup>ts</sup> thereon when Recorded as af<sup>d</sup> & Every part of them shall be as good & Valid in Law to all Intents & purposes and that the Lands by Virtue thereof & of this Act shall

Liber LL, 5  
Acts

p. 187

Liber LL, 5 Pass from the said Tho<sup>s</sup> Edmonds & Henry Borne their heirs &  
 Acts assignes in as full and Ample Manner as if the said Recited Deeds  
 Indented from the said Thom<sup>s</sup> Edmonds & Henry Borne their heirs  
 & assignes to the Said John Hanse Steelman; had been Duly  
 Recorded in the Records of Cecill County w<sup>th</sup>in the time Limited  
 by the Laws then in force, the want of Recording the same deeds  
 or any Law Statute or useage to the Contrary notwithstanding.

Saving to his Most Sacred Majesty: The R<sup>t</sup> Hon<sup>ble</sup> the Lord  
 Prop<sup>ry</sup> their heirs & Successors and all bodys Politick & Corporate  
 and all others not Mencōned in this Act their Severall & Respective  
 Rights.

Acts of 1728, An Act for the Relief of Sarah Massey of the City of Philadelphia.  
 ch. 11  
 p. 217  
 [Other Acts of this Session are printed in Vol. 36 of the Archives] p. 218

Whereas it has been represented to this present Generall Assembly  
 by the humble Petition of Sarah Massey of the City of Philadelphia  
 Widow & Relict of Samuel Massey of the same City Deceased that  
 her said Husband in the Year Seventeen hundred & Ten on his  
 Removall from the Kingdom of Ireland to the province of Pensil-  
 vania did purchase from one Thomas Brocklesby of the City of Corke  
 in the said Kingdom of Ireland Two Tracts or parcels of Land one  
 Called Delph Lying in Baltemore County Containing Seven hundred  
 and Twenty acres the other Lying in Cecill County Containing One  
 Thousand Acres both within this Province but that the said Samuel  
 Massey being Ignorant of the Laws of this province did not at the  
 time of making the said Purchase procure from the said Brocklesby  
 a power of Attorney for the Acknowledging of the said Deeds ac-  
 cording to the Laws and Customs of this province but upon his  
 Arrivall procured them only to be proved by the Subscribing Evi-  
 dences and recorded in the Respective County Court Offices where  
 the said Lands Lye. And Whereas it is further represented by the  
 said Sarah Massey that her said Husband is since Deceased and by his  
 Last will and Testament in Writing has Left the said Lands to be  
 Sold by her for the payment of his Debts and Childrens Portions  
 but that the want of such Acknowledgment is made use of by such  
 as would be purchasers as an Objection against the Validity of the  
 Title and forasmuch as the premisses have been made Sufficiently  
 to Appear to this Generall Assembly as also for that upon inspection  
 Into the said Deeds it appears that the said Sam<sup>l</sup> Massey was an  
 honest and fair purchaser upon a Valuable Consideration and that  
 their appears no fraud or covin used in the said Purchase & Sale it  
 is humbly prayed that it be Enacted And be it Enacted by the Right  
 Honourable the Lord Proprietor by and with the Advice and Consent  
 of his Lordships Governour and the Upper and Lower Houses of  
 Assembly and the Authority of the Same that the said Deeds be as  
 good and Valid in Law To all Intents and Purposes as if they had  
 been Acknowledged According to the Laws and Customs of this



Province any want of Acknowledgment or any Law Statute Usage or Custome to the Contrary thereof in any wise notwithstanding Saving to his Lordship the Lord Proprietary his heirs and Successors and all Bodies Politick and Corporate and all others not mentioned in this Act their Severall and Respective rights

Liber LL, 5  
Acts  
p. 219

An Act to Confirm Two Deeds of Sale the one from George Oldfield and Petronella his Wife and the other from Richard Carr Son and heir at Law to a Certain John Carr of Cecill County Deceased to Casparus Augustine Herman.

Acts of 1728,  
ch. 13  
p. 220

Whereas Coll<sup>o</sup> Ephraim Augustine Herman by his humble Petition to this Generall Assembly has set forth that a Certain John Carr of Cecill County Deceased by his Last Will and Testament bearing Date the Thirtieth day of January anno Domini Sixteen Hundred & Seventy five Six Amongst other things bequeathed his reall Estate to his Wife and Children Equally to be Devided amongst them that Casparus Herman Father to the said Ephraim Augustine Herman Purchased of a Certain George Oldfield and Petronella his Wife the Relict and one of the Legatees of the said John Carr a Certain tract or parcel of Land Containing four hundred and Fifty Acres of Land being part of a Tract of Land Called S<sup>t</sup> Johns Manner which said Four Hundred and fifty Acres was by the aforesaid George Oldfield and Petronella his Wife for a Valuable Consideration in due manner of law conveyed to the said Casparus Herman Save the conveyance was Omitted to be recorded in Due time that the said Ephrahims Father also purchased from Ann Johnson one other of the legatees and Daughter to the said John Carr One other Part of the said S<sup>t</sup> Johns Mannor containing four hundred and fifty Acres which was duly Conveyed as Aforesaid and Recorded That the said Casparus Father to the said Ephraim Augustine Herman also Purchased from Richard Carr Son and heir at Law to the said John Carr all the right and title of him the said Richard to the said Tracts of Land Part of S<sup>t</sup> Johns Mannor as Aforesaid by Deed Duly made and Acknowledged and paid the Consideration money in the said Severall Deeds Exprest all which Allegations appear to be true to this Generall Assembly, And the said Ephraim Augustine Herman further praying that forasmuch as that his Father Died in a short time after the making the Several Deeds Aforesaid and he the said Ephraim Augustine being very young at the time of his Fathers Death and not knowing till lately but that the said Deeds were recorded, Be it Therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governour and the upper and Lower Houses of Assembly and the Authority of the same that the said Deeds and Every Article Clause and Covenants therein Contained and Expressed shall be as good Effectuall and Valid in Law to all intents and Purposes

p. 221

Liber LL, 5  
Acts whatsoever as if the same Deeds had been Actually Recorded According to the Express Laws of this Province any Law Statute Usage or Custom to the Contrary Notwithstanding. Provided the said Deeds shall be Recorded in Cecill County Records within Six  
p. 222 months from the End of this Sessions of Assembly, Saving to the Right Honourable the Lord Proprietary his heirs and Successors and all bodies Politick and Corporate and all others not mentioned in this Act their respective rights.

Acts of 1728, An Act for the naturalization of William Rayman of the City of  
ch. 14 Annapolis.

Be it Enacted by the Right Honourable the Lord Propretor by and with the Advice and Consent of his Lordships Governour and the Upper and Lower Houses of Assembly and the Authority of the same that the said William Rayman borne in Germany under the Dominion of the Prince Palatine of Rhyne be Enabled and Adjudged to all Intents and purposes to Demand and Challenge have hold and Enjoy any Lands Tennements Rents and Hereditaments to which the said William Rayman may in any wise be Intituled to within this Province as if he the said William Rayman had been the free and Naturall borne Subject of his Majesty the King of Great Brittain and Leige person thereof he the said William Rayman having taken the Useall Oaths to the Government Appointed by Law and also  
p. 223 that he the said William Rayman be and is hereby Enabled to Maintain Prosecute Avow Justifye & Defend all and all manner of Actions Suits Plaints Pleas and Other Demands whatsoever within this Province as Liberally Frankly Freely fully Lawfully & securely as if he the said William Rayman had been his said Majesty Naturall borne Subject and Leige person any Law Statute Usage or Custome to the Contrary in any wise Notwithstanding

Acts of 1728, An Act for the Relief of Francis Garterill of Ann Arundell County.  
ch. 18  
p. 231

Forasmuch as it is Represented to this Present General Assembly by the Humble Petition of Francis Garterill of Ann Arundell County that on the fifteenth Day of September Anno Domini Seventeen hundred and Eighteen John Garterill and Jane his Wife Parents of the said Francis Did by their Deed Indented for and in Consideration of the Naturall Love and Affection which they bore to the said Francis give Grant and Convey unto him part of a Tract of Land Called Ropers Range as Circumscribed by the Courses meets and bounds in the said Deed Expressed to be held to him his heirs and Assigns for ever after the Death of the said John and Jane And forasmuch as it is further Represented that the said John and Jane after the Execution thereof did in Due form of Law Acknowledge the same Deed before Two of the then Justices of Ann Arundell County and are since Deceased but that it hath so happened that the said Deed hath never been Recorded Pursuant to the Direction of the Act of

Assembly in such Case made and provided which may hereafter be an Objection to the Validity of his Title And forasmuch as the Premisses have been made appear to this present Generall Assembly It is humbly Prayed that it may be Enacted And be it Enacted by the Right Honourable the Lord proprietary by and with the Advice and Consent of his Lordships Governour and the upper and Lower Houses of Assembly and the Authority of the same that the said Deed and Every Clause therein be as Good and valid in Law to all Intents and Purposes Provided the same be recorded in Ann Arundell County Records within six months After the End of this present Sessions of Assembly as if the same had been Recorded within the time Limited by Law Any want of Recording or any Law Statute or Custom to the Contrary notwithstanding Saving to the Right Honourable the Lord Proprietary his heirs and Successors and to all Bodys Politick and Corporate and to all others not mentioned in this Act their Respective Rights.

Liber LL, 5  
Acts

An Act for the Reliefe of Edward Parish of Ann Arundell County.

Acts of 1728,  
ch. 20  
p. 234

Whereas it hath been represented to this present General Assembly by the Humble Petition of Edward Parrish of Ann Arundell County that one Thomas Pratt of the same County in the year Sixteen hundred Eighty and Six made his Last Will and Testament in writing and amongst Other things did give unto his Executors therein after-named Fifty acres of Land Called Hog Harbour to be sold and Disposed of for the payment of his Debts and that in Pursuance thereof a Certain John Waters and Richard Goate Executors in the said Will named on the thirteenth Day of August Sixteen hundred Eighty and Eight for and in Consideration of the sume of Five Thousand Pounds of Tobacco Sold and Conveyed the same to one Robert Wade and that the said Deed of Bargain and Sale on the Day & year Last mentioned was Acknowledged before Edward Dorsey and Richard Beard Gent. then two of the Justices of Ann Arundell County and is since by Divers Alienations and mutations of Possessions become the Right of and Vested in the said Edward Parrish But for that it hath so happened that the said Deed was not recorded According to the Directions of the Act of Assembly in that Case made and Provided And in regard that the said Edward Parrish hath Sufficiently proved the severall Allegations as also made it Appear that the said Deed was made in Pursuance of the Will of the said Thomas Pratt and Acknowledged by his Executors for a Valuable Consideration it is humbly Prayed that it may be Enacted And be it Enacted by the Right honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governour and the upper and lower houses of Assembly and the Authority of the same that the said Deed and Every Clause therein be and is hereby Declared to be as good and Valid in Law to all Intents and Purposes

p. 235

Liber LL, 5 as if the same had been Recorded According to the Laws and  
 Acts Customs of this Province Provided the Same be Inrolled Amongst  
 the Records of Ann Arundell County within Six months after the  
 End of this Present Session of Assembly any want of recording or  
 any Law Statute or Custome to the Contrary thereof in any wise  
 notwithstanding Saving to the Right Honourable the Lord Proprietary  
 his heirs and Successors and to all Bodies Politick and Corporate  
 and to all others not Mentioned in this Act their Severall and  
 Respective Rights

Acts of 1728,  
 ch. 27  
 p. 253

An Act for the Relief of John Beale of Charles County

Whereas there is a Cause now Depending in the High Court of  
 Appeals between John Diggs or his Lessee Appellant and the said  
 John Beale Defendant Concerning a Parcell of Land Called Durham  
 Freehold Lying in Charles County and that the said John Beale is  
 Destitute of any Councill to make a Defence for him Daniel Dulany  
 Esquire the only Lawyer Acquainted with his Case being Disabled  
 from Serving the said John Beale because he the said Dulany hath  
 not taken the Oath prescribed by an Act of Assembly Entituled an  
 Act to restrain the Ill Practices of Attorneys and to prevent their  
 taking money Fees and Ascertaining what Fees shall be allowed to  
 the Practitioners of the Law who shall Attend the Circuit Courts  
 to be taken by Attorneys and other persons practising the Law and  
 for that the said Cause cannot by Law be Continued beyond the  
 present Court of Appeals.

Be it Enacted by the Right Honourable the Lord Proprietary by  
 and with the Advice and Consent of his Lordships Governour and  
 the upper and Lower Houses of Assembly and the Authority of  
 the Same that the said Daniel Dulany shall and may be and by Virtue  
 of this Act is fully Impowered to be Councill for the said John Beale  
 in the said Cause and to plead and Act therein without any hinderance  
 or Impediment and without being Obligated to take the Oath  
 Prescribed by the said recited Act any thing in the same Act or  
 any Other Law Statute or Usage to the Contrary Notwithstanding,  
 And be it further Enacted that it shall and may be Lawfull for the  
 said Court of Appeals to Continue the said Cause to another Court  
 in Case it Cannot be Conveniently tried durement the Continuance of  
 this Assembly any Law or Statute to the Contrary notwithstanding.

Acts of 1729,  
 ch. 1  
 p. 255

An Act for the naturalization of Christian Peters of Cecill County  
 a Native of Germany :

[Other Acts  
 of this  
 Session are  
 printed in  
 Vol. 36  
 of the  
 Archives]

Be it Enacted by the right Honourable the Lord Prop<sup>ty</sup> by and  
 with the advice and Consent of his Lordships Governour and the  
 upper and Lower Houses of Assembly & the authority of the same  
 that the said Christian Peters Born in Germany be Enabled and  
 Adjudged to all intents and purposes to Demand and Challenge have



hold and Enjoy any Lands, Tenements, Rents and Hereditaments to which the said Christian Peters may in any wise Be Entitled to within this province as if he the said Christian Peters had been the free and Natural born Subject of his Majesty the King of Great Brittain And Leige Person thereof he the said Christian Peters having taken the usual Oaths to the Government Appointed by Law, And Also that he the said Christian Peters be and is hereby Enabled to maintain Prosecute Avow, Justify and defend all and all Manner of Actions Suits, Plaints, Pleas, and Other Demands whatsoever within this Province as Liberally, Frankly, freely fully Lawfully and Securely as if the said Christian Peters had been his said Majestys natural born Subject and Leige Person any Law Statute Usage or Custom to the Contrary in any wise notwithstanding.

Liber LL, 5  
Acts

An Act to Confirm a Deed of Bargain and Sale from Stephen  
Yoakley To Thomas Colmore

Acts of 1729,  
ch. 9  
p. 270

Whereas it hath been made to Appear to this Present Generall Assembly by the humble Petition of Thomas Colmore of London Merchant that on the Seventeenth day of October Seventeen hundred and Twenty four he purchased from Stephen Yoakley then of London Mariner for the Consideration of Eighty pounds Sterling a Tract of Land Lying in Prince Georges County Called Backland and that the said Stephen Yoakley the same Seventeenth day of October in the year Aforesaid Executed a Deed of Bargain and Sale to the said Thomas Colmore for the said Tract of Land with a warrant of Attorney for the Acknowledging thereof according to the Laws of this province. And Whereas it hath been further to appear by the said Petition that Although the said Thomas Colmore sent the said Deed and Warrant of Attorney into this Province in Order to perfect his Title to the said Tract of Land it hath been Omitted to be Acknowledged and Recorded According to Law. It is therefore humbly prayed that it may be Enacted And be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice & Consent of his Lordships Governour and the Upper and Lower Houses of Assembly and the Authority of the Same That the said Deed of Bargain and Sale be as good and Valid in Law to all Intents and Purposes as if the same had been Acknowledged and Recorded Within the time Limited by Law Provided the Same be duly proved Acknowledged and Recorded within six months from the End of this Sessions of Assembly any Omission of having the same Acknowledged and Recorded or any Law Statute Usage or Custom to the Contrary Notwithstanding Saveing to his sacred Majesty his heirs and Successors and to the Right Honourable the Lord Proprietary his heirs & Successors and to all Bodies Politick and Corporate and all Others not mentioned in this Act their Severall & Respective rights



## APPENDIX.

In 1700 there was published in Annapolis by Thomas Redding, a body of the Laws, the first known compilation of the Statutes of Maryland. (See Archives XXIV, 83, 198). The Library of Congress copy, the only one known to me, which formerly belonged to John Bozman Kerr, is imperfect. The compilation begins with the laws of 1692 and the copy shows that it contained at least 118 pages. The dedication to William Bladen is of such interest that it is worth while to reprint it here. In addition to its intrinsic interest, the production vies with Dr. Bray's contemporaneous sermon before the General Assembly (reprinted in Fund Publication No. 34) as to being the earliest extant imprint from any Maryland press.

"To my Honoured and Ingenious Friend Mr. William Bladen at the [Port] of Annapolis.

"Sir—

It is certainly an argument of a most Ingenious Minde as well as . . . Commonwealth, where a Man finds ways to advance his own Interest . . . together, which I doubt not but may be effectually done by your happy . . . designs the printing and publishing the Laws of this Province, whereby the whole Body of them now in force will be to be had at so reasonable a rate that scarce any . . . willing but may have them, and as it is a . . . -able principle for every Maryland . . . himself acquainted with the Laws of the County he lives in, . . . it is very dangerous to be ignorant of them by reason of that maxim that Ignorance of the Law, . . . no excuse, which though it may seem a harsh maxim, when first discussed yet when thoroughly understood is most just and reasonable . . . encouraging men to attain the knowledge of the Laws under which they live and that . . . by . . . -chest springs of human nature hope and fear, hope of knowledge and . . . the nature and constitution of the government they live in, which is in the most lively manner discovered in the laws of the Country—and fear, being punished for the breach of any of them that through a willful ignorance of them . . . know not: this maxim will appear more beautiful when compared with . . . if ignorance of the Law should excuse, then the more ignorant the more . . . could be punished by the law but them that know it, so that knowledge would be a dangerous thing, and yet it is the experience of all ages that the more knowledge people have (which is to be more wise) they are the happier in their government and constitution: but this is but in general, this worthy

undertaking as I conceive, is pregnant with many great benefits to this Province in particular, taking this to be granted which I believe will hardly be denied that very few Gentlemen of this Province, nay not all the Justices of the Provincial and County Courts have yet had the Body to the Laws by them so as to read, meditate, and digest them, without which it is impossible rightly to know them, for indeed they were not to be had but at a great charge and difficult to be got at any cost, and then but in a . . . hand.

I say, supposing this, and now that the plain print and easy price will remove the former difficultys, it cannot, I think, be doubted but that all the Justices of the Provincial and County Courts will have them in their Studies for the reasons aforesaid and the better to enable them to give a right judgment of those laws when pleaded before them and next to them, all other Officers of what nature soever and others . . . and them.

1st In the first place it must needs prevent many tedious and chargeable actions that Men involve themselves in by ignorance, for the law informs them what to do and what to avoid, and it will prevent cunning ill Men from imposing on their Neighbours because these Neighbours will know the Law as well as themselves, and this will make Men more peaceable better Neighbours, and easier to the Courts of Justice.

Secondly, As it will prevent actions and injurys among private persons, so it will instruct the several officers of Courts their duty which will prevent many miscarriages in their offices, daily committed through ignorance, and which give great delays to the Courts, now the several Officers ready discharge of their dutys will be a furtherance to the business of the Court.

Thirdly, the Justices perfect knowledge of the laws will be a great means to the . . . the tryal of every such cause and prevent the turning over books to find out the laws, when they shall know at first mentioning what the law is and how it stands related to other laws, and be able to direct the tryal by their own knowledge, and distinguish in the different arguments of each Party which will be a happiness no less to themselves than the Suitors.

Fourthly, the grand and petty Jurys also being acquainted and knowing the laws will more readily and aptly discharge their several offices, more might be enumerated but if all these benefits, nay if but some of them answer expectation it will be a considerable advantage to the Province. One can not but expect some who will censure and be ready to condemn both the undertaking and the reasons for it, such (I mean) who know no other way to raise their own Character than by finding fault with and condemning other Men's actions, but they should not discourage any one from prosecuting a good design which . . . approve and pray for the success of . . . the writer.



In 1718, there appeared in Philadelphia, a compilation of Maryland Laws: "Printed by Andrew Bradford and are to be sold by Evan Jones at the City of Annapolis in Maryland." The Preface to the "Laws of the Province of Maryland Collected into one Volume, by order of the Governor and Assembly of the said Province, at a General Assembly begun at St. Mary's the 10th Day of May 1692 and continued by several Assemblies to the year 1718" is as follows:

[This introduction is reprinted from the Library of Congress copy]

"The Publisher to the Reader.

"As this Volumn only contains the Publick Acts of Assembly of the Province of Maryland, now in Force, (which are not expected to speak, but where the General Statutes of England are silent) 'tis presumed the Inhabitants of that Province, for whose Use they were at first made, and are now Published, will be principally concerned in the Perusal of them; nothing of Curiosity to an indifferent Reader being to be Expected in a Collection of this Nature.

"To these Inhabitants, therefore, I Recommend this Work, by which they may be acquainted with the particular Laws of their Country, with much more Facility, than when the only Recourse they could have was to a few Ill-Written Manuscripts, Lodged in the Hands of particular Officers, and not more than Twelve or Fourteen of them in the whole Province.

"It was then Difficult to come at the Body of those Laws, and when the Body was come at, it was no less Difficult (for want of an Index and Marginal Notes) to find the particular Law or Paragraph required; So that without any Reflection, it may be justly Remarked, The Laws of the Province lay so obscure, that they were scarcely known to those that were Immediately concerned in the Judging of or Pleading by them. And as to the Common People, who were to direct their Actions by those Laws, they might almost be said To Labour under an Involuntary Ignorance of them; and yet that Ignorance could not excuse their Punishment for an Offence against the Law they knew not. A Case, indeed, that wanted Remedy.

"The Necessity therefore and Usefulness of the Work can do no less then justify the Encouragers of it, as I hope it will Encourage the Undertaker.

"The Laws themselves are such as have been either carefully Revised, during the Administration of his Excellency John Hart, Esq: present Governour, whilst he acted by an immediate Commission from the Crown, or Enacted in that Time, or since, during the said Governour's Administration by Commission from the Right Honourable, the Lord Proprietor, From whence, 'tis hoped, they are so well adapted to the present Circumstance of the Country and the British Constitution, that this Volumn may be of Use and Continue Valuable for many Years, without any Considerable Alterations.

“The Care that this Governour has taken, during his Administration, to have due Honour paid to his Majesties Authority, To Assert his Prerogative, To Establish and Secure the Protestant Interest and Government of this Province, To Encourage Virtue, To Punish and Discountenance all Immorality and Prophaneness, To Support the Magistrates in the Administration of Justice, To give Prerogative and Priviledge their Rights, and, To Render unto All their Due, cannot but be Evident to every discerning Reader, by the Laws that appear to have been made to those good Ends. In the passing whereof there has been such Perfect Harmony betwixt the Right Honourable, the Lord Proprietor, and his Lordships Noble Guardian, their Governour, and the People of this Province, that not any one of those good Laws, that have been obtained by the Governour in the Country, have met with the least Discountenance from their Lordships, but so far as yet appears, have been favoured with their Applause and Approbation. A Demonstration that both Lords, Governour and People are unanimous in their Resolution of Duty to GOD and the KING.

“In the Collection of these Laws, the Records and Original Rolls have been carefully Examined, and great care taken in the Preparing the Copy for the Press, and Printing it; But as the Copies (for Expedition sake) have been made by several Hands, and some only from Attested Copies, the Reader is desired to excuse what literal Mistakes may have happened either in the Copies or by the Remoteness of the Press, which rendred the Examination and Correction thereof Impracticable to the publisher; tho’ it may be justly affirmed, There are none such to be found, but what are easy to be Corrected by the Readers own Observation.

“I shall not longer try the Readers patience, save only, just to tell him, That, since the General Assembly of Maryland has Encouraged the Work, and I have done my best Endeavours to render it Compleat and Useful, I hope I shall not fail of being feelingly convinced how well he does approve it. I am,

“Courteous Reader,

“Your very Humble Servant,

“EVAN JONES.”

Calvert Instructions Powers & Authoritys to be observed & pursued by  
 Paper Nicholas Lowe Esq<sup>r</sup> my Agent & Receiver General in Maryland.  
 No. 278 Given by me this fifth day of December Anno Domini 1722.

C: Baltimore

loco  
 Sigilli

1. Whereas by our Commission bearing even Date with these Presents We have thought fit to make you the said Nicholas Lowe our Agent & Receiver General within our Province of Maryland, you are to give me good Security by Bond with able Sureties for the faithful Discharge of your Duty & due Accounting for all monys or Bills of Exchange which shall come to your Hands to be Executed in the presence of my Governour & forthwith transmitted to me and you are to take sufficient security from the Naval Officers for the time Being (whom we have & do appoint during our pleasure to be our Shipping Officers, for the receiving & Collecting in their several Districts all our Duties arising by the Exportation of Tobacco or Tonage of Ships) for their faithful accounting to you for the same & due observance of such Directions as they shall from time to time receive from us or Yourself therein.

2. You are to take especial Care yourself & give Directions to the s<sup>d</sup> Shipping Officers that all Bills arising by Virtue of the af<sup>d</sup> Duties or otherwise be made payable to me the s<sup>d</sup> Charles Lord Baltimore in London Except so many as will pay our Lieutenant Governour his Sallary of one thousand pounds p annum And you are likewise to take Care that all other Bills or Land Warrants &c<sup>a</sup> be also made payable to me in London.

3. You are hereby required & directed to send me every Year a Stated Account of all monys or Bills of exchange arising by our said Dutys on Exporting Tobaccos & also a separate account of all monys or Bills of Exchange arising by the Tonage of Ships with the usual Lists of all Ships entered in & out according to the method practised by your late Brother Henry Lowe & likewise an account of all monys coming & growing due to me out of the Several other Branches of my Revenue.

4. Whereas we have by our Instructions impowered & directed p. 2 Tho<sup>s</sup> Beake and Charles Lowe Our Secretaries, either by themselves or their Sufficient Deputy to Grant Warrants, for taking up any Wast, Cultivated uncultivated or Surplus Lands within Our said Province on the Conditions therein Specified Provided that before any Pattent for any the said Lands be made out, Our Receiver General for the time being shall receive to our use for Every hundred Acres of such Land the Sum of forty shillings in Sterling Mony or take Caution for it; You are hereby impowered and Directed to receive the said Sum or Sums or take Caution for them before the said Secretaries or their Deputy do proceed to make out any Pattent.

5 And whereas by our former Instructions to your Late Brother Henry Lowe He was directed to pay or Cause to be paid to our Lieutenant Governor for the time being the Sum of one thousand pounds Sterling p<sup>r</sup> Ann: And in Case of the Absence or Death of Our Lieutenant Governor for the time being He was Directed to

Calvert pay or Cause to be paid to the President or first person named of our  
 Paper Council who During such Absence should take upon him the Govern-  
 No. 278 ment the Sum of five hundred pounds p<sup>r</sup> Ann. You are hereby  
 required Authorized & impowered to pay or Cause to be paid to  
 Charles Calvert Esq<sup>r</sup> our present Lieutenant Governour the Sum of  
 one thousand pounds Sterling p<sup>r</sup> Ann: at such times and in such  
 Proportions as he shall call for the same and in Case of his Death or  
 Absence the sum of five hundred pounds Sterling p<sup>r</sup> Ann: to the  
 President or first Person named of our Council taking upon him the  
 Administration of our Government out of any of the monys or Bills  
 of Exchange arising by the Dutys on the Exportation of Tobaccos,

6. You are hereby Directed and impowered to Continue the Al-  
 lowance of two p<sup>r</sup> Cent to the Naval Officers for all monys or Bills  
 of Exchange by them Collected for our use and you are required to  
 lay a Reserve on all the Land you think proper on the head of Potow-  
 P. 3 mack to the Quantity of at Least ten thousand Acres for my use.  
 As your Brother was formerly Directed if it is not already done.

7. Whereas Henry Darnall Esq<sup>r</sup> is impowered to let and Lease  
 Our Mannors on the Western Shoar at the usuall fine of forty  
 shillings and Yearly Rent of ten shillings p hundred acres as also  
 to receive the Rents and fines, and the Arrears thereof, and to account  
 to me yearly for the same, such Leases to be for twenty one years  
 or three lives and no more, We do hereby impower you to Lett &  
 Lease out our Mannors on the Eastern Shoar (our Mannors of Ann  
 Arundel always Excepted & Excluded) under the Consideration and  
 for the Like Terms.

8 Whereas by our Twelfth Instruction formerly sent your Brother  
 Bennitt Lowe he was particularly Directed before he made out any  
 Lease or Leases of any part of the Susquahannah mannour formerly  
 forfeited to the Proprietary by Coll George Talbot to Consult M<sup>r</sup>  
 Philemon Lloyd, My will now is that no Lease or Leases be made  
 thereof without my further Orders having some thoughts to Grant  
 out the Inheritance of some parts thereof to the People that are  
 Carrying on the Iron works thereabouts, You are therefore as soon  
 as possible to send me as good an Account as you can of the Value  
 of those Lands by the Acre which I hear is Considerable that I may  
 know the Better on what Terms to dispose of them, Tho in the mean  
 time I would not have the Expectations of the People in the Least  
 Baulked, That the said Lands will be shortly parcelled out by Lease  
 to such persons as are willing to pay Reasonable Consideration for  
 the same.

9. You are to acquaint M<sup>r</sup> James Carroll that I would have him  
 make out my Rent Roll according to my late Directions to him. In  
 the doing whereof I desire him to Consult with you and Transmitt  
 it forthwith to me.



Whereas I formerly Ordered your Late Brothers to pay to M<sup>r</sup> Thomas Humphreys one hundred pounds p<sup>r</sup> Ann: You are hereby Directed and impowered to make good and Continue the said payment to him, untill he shall have some place or Employment in the Province which I hope he already has or will shortly obtain or untill my further Orders be signified to you.

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No. 278  
p. 4

11. In Case of the Death of you the said Nicholas Lowe I do hereby Authorize and impower Co<sup>t</sup> Matthew Ward to do and Execute all the powers Granted you by our Commission Bearing even Date with these presents he observing the Orders and Instructions we now have or hereafter shall send either to you or him, first giving Security to my Lieutenant Governor for the time being for the due Execution thereof.

12. And Lastly whatever is not herein Directed and Expressly Mentioned which is in any of your Late Brothers Instructions you are to Conform yourself thereto as Occasion may Offer. And you are to acquaint our Lieutenant Governor with Our Commission to you which must be Recorded with these Our Instructions and in all things hold a fair Correspondence with him as shall be thought Necessary for Our Service.

Additional Order and Instruction Power & Authority to be Observed and pursued by Nicholas Lowe Esq<sup>r</sup> Our Agent and Receiver General in Our Province of Maryland. Given by us at London this 25<sup>th</sup> Day of February Anno Domini 1723.

C. Baltimore

loco  
Sigilli

1. Whereas by my former Instructions & Directions I signified the Inclinations I had to Gratify the Proprietors of the Iron Works in Maryland with any Lands on the Susquehannah Mannour that lay Convenient for them on such terms and Conditions as they were granted to other people. And they having made lately known to me how inconvenient it is for them to Comply with two Conditions that has been Offered them Viz. the one of planting a certain number of Apple Trees, and another oblidging them not to cutt Down the Timber further than they shall Cultivate on such parts of the said mannour as should be Granted them. My Will & Meaning now is that you Lease for three lives to the said Proprietors or their Agents One thousand Acres of the meanest and poorest Lands on the said Mannour, which Lye most Convenient for Carrying on their said Works, without obliging them to either of the two aforesaid Conditions, But Subject to and under such Conditions as other parts of my said Mannor are Leased out

p. 5

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Paper  
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Additional Orders and Instructions Powers & authoritys to be Observed and pursued by Nicholas Lowe Esq<sup>r</sup> our Agent and Receiver General in Maryland. Given by us in London this 27<sup>th</sup> Day of September Anno Dom 1723.

C. Baltimore.

loco  
Sigil

Whereas I have directed and impowered Mr Philemon Lloyd (among other things relating to my land Affairs) in Compassion to the Petitioners Seated on the Susquehannah Mannor. By your Joynt Letter recommended to me, to sell to the said Petitioners the Fee of such parts of the said mannor as they have made Settlements and Improvements upon, for such fine or fines as he & you shall agree to take under the said Rents and Covenants as in my other Grants and Patents are Comprised; And whereas by my former Instructions directed to your Brother Bennitt Lowe, He was Ordered and Impowered to Lease out for three lives any parts of the said mannor under the usuall Fine of forty Shillings and yearly Rent of ten Shillings 7<sup>r</sup> hundred [saving] to us Our heirs and Assigns out of such Leases all Mines of Gold & Silver & Copper and Tin, And whereas by my late Instructions you were directed not to proceed in the making out any Lease or Leases of my said Mannor, till my further Order, you are now hereby impowered and Directed to Grant and make out any Lease or Leases of such part of my said mannor of Susquehannah for three lives as my Grandfather hath not Granted or directed to be Granted Since the forfeiture thereof by Coll George Talbot, to such person or persons as shall desire the same, on the usuall Conditions or Fine of forty shillings to be paid at the taking out of the said Lease or Leases and under the yearly Rent of ten Shillings with the aforesaid Reservation & such other Conditions and Provisoos as are Contained in the Leases of any other my Mannors, And such other Conditions as you shall find Expedient. And you are to send me Yearly a Seperate and Distinct account of all Monys you shall receive for the Fee of such parts of the said Mannor as shall be Granted out to any of the Aforementioned Petitioners, And also of all fines arising by your Granting out any Leases of the said Mannor with the number of Acres therein Contained and to whom Granted.

2 You are hereby Directed and impowered to Grant and Sell to your Uncle Bennitt Lowe all my Fines in Tobacco arising in the Several Counties on the Eastern Shoar He allowing and paying three Shillings 7<sup>r</sup> hundred for what of the said Tobacco shall be paid to  
p. 7 him, And you are to Exert yourself in Getting in my said Fines and to acquaint all people Concerned that I require them to use their utmost Diligence therein. The Contract too made with your Uncle

is to be for no longer time than He and I shall Mutually think fit to  
Continue the Same

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No. 278

C: B:

Additional Orders and Instructions Powers and Authoritys to be  
Observed and pursued by Nicholas Lowe Esq<sup>r</sup> Our Agent &  
Receiver General in Our Province of Maryland.

C: Baltimore

loco  
Sigilli

1 Having Considered the case of those Proprietors of Land within my mannor on Choptank River which were Pattented before the said Mannor was laid out, My Will is that they should Quietly Enjoy them (as by Law they Ought) without any Interruption or Disturbance whatever And being Desireous that the Proprietors of those Lands within my said Mannor, which have been Pattented by my Grandfather, since the Reserve thereof should be Quietted and Confirmed in their possessions, I have directed M<sup>r</sup> Philemon Lloyd my Deputy Secretary to Grant them new Pattents, or Pattents of Confirmation for the same under the Conditions my other Lands are now Granted, upon your Signifying unto him, that you have received such a Fine for the Same, as I have herein after Ordered you to Agree for, But as to that part of the said Mannor which has not been hitherto Pattented at all, I would have no Grants made thereof, till my further Order. You are therefore hereby Authorized & Directed that in Case the Proprietors of the aforesaid Lands which were Pattented by my Grandfather since the Reserve of the said Mannor, are willing to pay forty Shillings p<sup>r</sup> hundred Acres for what they now hold to accept the same (without taking any Advantage of their Improvem<sup>ts</sup>) And upon the receipt of the mony you are to make it known to M<sup>r</sup> Lloyd, Who is to Grant them their Pattents accordingly. But in Case the said Proprietors of those Lands should think forty Shillings p<sup>r</sup> hundred acres too much, and you and M<sup>r</sup> Lloyd should both be of Oppinion that Twenty Shillings is sufficient you are hereby Authorised and impowered to accept of Twenty Shillings p<sup>r</sup> hundred Acres and to proceed accordingly. And you are to make in your Account a Distinct Article of the Money Arising thereby. p. 8

2 You are hereby directed to give Orders to the Sevrall Naval Officers to make up their Accounts Yearly and sign them and send to my Governor as soon as they have Cleared all the Ships for the year (over and besides their making them up with you) which I will direct them to Transmitt to me.

C: B:

Calvert  
Paper  
No. 278 Additional Orders and Instructions powers & Authoritys to be  
Observed and pursued by Nicholas Lowe Esq<sup>r</sup> Our Agent and  
Receiver General in our Province of Maryland.

C: Baltimore

loco  
Sigilli

Whereas you were heretofore Instructed and directed to pay Charles Calvert Esq<sup>r</sup> our late Governor one thousand pounds Sterling 7<sup>r</sup> Annum; You are now to pay Our Dear Brother Benedict Leonard Calvert Esq<sup>r</sup> Our present Governor the said thousand pounds 7<sup>r</sup> Annum, Out of the monys or Bills of Exchange arising by the Duty on the Exportation of Tobacco at such times & in such proportions as he shall Call for the same to be Computed from the first Day of his Arrivall in the Province, to which time you are to pay our Late  
p. 9 Governour. And in case of the Death or Absence of our said Brother the sum of five hundred pounds to the first person of our Council taking upon him the Administration of our Government.

2 And Whereas I have Charged my said Brother with many particular things relating to my private as well as publick Interest, in which by my Instructions to him you will find your Advice and Assistance Desired, You are hereby directed and required to hold a free and open Conversation with him in every thing that relates to my Service, either immediately under your Management by Virtue of your Offices or otherwise as Occasion may require.

3. You are upon direction from our said Brother to permitt a Pattent to pass for five hundred Acres of Common Warrant Land; or Surplus Land to Charles Calvert of St Maries County Esq<sup>r</sup> or to Gerrard Slye on his Account, or to any other person to whom my said Brother shall order it, without your takeing any Fine for the same but Subject never the Less to all other my present Conditions of Plantations.

4 And whereas I have directed M<sup>r</sup> Philemon Lloyd to make out a Pattent to M<sup>r</sup> Richard Willis for the two hundred Acres of Land Called the Land of promise provided the said Lands are not Granted to any Body Else, upon the Equity you and he Certified upon the Back of the Survey He the said Willis seemed to have, you are to permitt the same to pass without receiving any Fine, But Subject to all other my present Conditions of Plantation

C: B:

By his Lordships Command

Charles Lowe



Additional Order and Instruction Power and Authority to be observed and pursued by Nicholas Lowe Esq<sup>r</sup> Our Agent and receiver Generall in Our Province of Maryland Given by us at London the fifth Day of April Anno Domini 1728.

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No. 278  
p. 10

C. Baltimore.

loco  
Sigilli

Whereas I find upon Speciall Warrants, heretofore made for Re-surveys of Several Quantitys of Land including Surplus Land Granted by such Special Warrants [persons to whom such lands] have been Granted are Negligent and Slow in paying their money for such Surplus Land, you are hereby required impowered and Directed to Cause all such persons immediately to pay you for my use what they owe for such Special Warrants and more especially should any of the Persons so Indebted to me, make the least Delay of paying the same under pretence that it may be due to M<sup>r</sup> Darnall and other the Purchasers of the Quitt Rents under the Lady Dowager Baltimore, upon the Suggestions of M<sup>r</sup> James Carroll or any other person whatsoever, you shall sue them with the utmost Severity of the Law, and take all the Advantages possibly in your power to Convince them of their Error if they do not quietly Submitt after having Been Admonished by you to pay the Same.

C. B.

June 19<sup>th</sup> 1728 Appointment by Charles Lord Baltimore of his brother Edward Henry Calvert as first member of the Privy Council of Maryland.

C. Baltimore

Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c. To our dearly beloved Brother Edward Henry Calvert Esq<sup>r</sup> Greeting Know You that We reposing Speciall Trust and Confidence in your Wisdom and diligence have Assigned and appointed you to be of our Privie Council of State within our said Province of Maryland And We do hereby give unto you full Power and Authoritie from time to time and at all times untill We or our Heirs shall signifie our or their Pleasures to the Contrary, to Assemble and meet with our Governour of the said Province of Maryland and the other Members of our said Council for the time being when and where he our said Governour shall from time to time direct and Appoint to treat consult deliberate and Advise of all Matters Causes and Things which shall be discovered or brought before you and the rest of our said Council, as well concerning the Quiet Government and regulating of the People there as for the Good and Safety of our said Province of Maryland. And for

Calvert  
Paper  
No. 138  
(See Calvert  
Paper  
No. 295½)  
p. 55

Calvert  
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the better and more peaceable Government of our said Province of Maryland We do hereby Appoint you a Justice or Commissioner for Conservation of the Peace of our said Province with full Power and Authority to do and Execute all and every Act and Acts Thing and Things incident and belonging thereto which any other Person of our said Council hath or ought to have exercise or enjoy as One of our said Council, Justice or Commissioner as aforesaid. And Lastly Our Will and Pleasure is that you our said Brother Edward Henry Calvert shall be the first Person of our said Council, and you are hereby authorised and appointed to take have and hold the first and chief Place therein. Provided you our said Brother (before you take upon you the Execution of any Powers and Authorities hereby granted) do take the Severall Oaths and Act and do all and every Matter and Thing requisite and necessary thereto, or which any other Person of our said Council hath or ought to have taken and done: To which all and Every Person and Persons of our said Province are hereby required to pay due and ready Obedience as They will answer the Contrary at their Peril. Given under our hand and Greater Seal at Arms the Nineteenth day of June in the second year of the Reigne of our Sovereigne Lord King George the Second and in the fourteenth year of our Dominion over the said Province Annoq Dni. 1728

By his Lordship's Command

Cha : Lowe

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To the R<sup>t</sup> Hon<sup>ble</sup> the Lords of the Com<sup>ee</sup> of his Maj<sup>ty</sup>s Privy Council

The Hum<sup>e</sup> Representat<sup>n</sup> of Cecilius Calvert Esq<sup>r</sup> for & on Behalf of Charles L<sup>d</sup> Baltimore his Brother.

May it please your Lordships

Having just now been informed by M<sup>r</sup> Sharpe Sollicitor to my Bro<sup>r</sup> the L<sup>d</sup> Balt<sup>re</sup> th<sup>t</sup> y<sup>r</sup> Ld<sup>sh</sup>s have appointed next Wednesday to take into y<sup>r</sup> consideration the Petition of Jacob Henderson Clerk Rector of Q: Ann's Parish in Prince George's County in Maryland on Behalf of the Clergy of the s<sup>d</sup> Province & th<sup>t</sup> the Matters therein Contain'd greatly affect the L<sup>d</sup> Baltimore's Rights & Privileges as absolute Lord & Proprietor of this Province, particularly as to his Rights of approving or Repealing the Laws passed in that Province. As Lord Baltimore is now absent from this Kingdom, & has been so since June last, & is an intire Stranger to such Application, I beg leave on his Behalf humbly to represent to y<sup>r</sup> Lordships.

1<sup>st</sup> That no notice whatsoever has been given of the said Petition, or of any Motion to bring the Same on, either to his Lordship or to me, or to any other person to my knowledge or Beleif on L<sup>d</sup> Balt<sup>m</sup>'s behalf, so th<sup>t</sup> he is wholly unacquainted with the same, & no one has or can have any authority or Instructions f<sup>m</sup> his Ld<sup>s</sup> to Defend it.

2<sup>dly</sup> Your Lordships in all Cases where Application has been made in any matters relating to the s<sup>d</sup> province of Maryland have always been so justly indulgent to the s<sup>d</sup> Proprietor of this Province, th<sup>t</sup> y<sup>r</sup> Ld<sup>ps</sup> have constantly Ordered his being acquainted with such Application before any thing has been done thereon, & have postponed considering the same till his Lordship had first received a Copy of such Application & put in his Answer thereto, that so it might appear whether the same interfered with any of his Lordships Rights & Priviledges.

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3<sup>dly</sup> For that the Lord Proprietor has constantly enjoy'd & exercised as his unquestionable Right the Power of Approving or Repealing the Laws of the s<sup>d</sup> province of Maryland as absolute Lord & Proprietor of that province, in which Capacity it is humbly presumed y<sup>r</sup> Lordships will think the L<sup>d</sup> Proprietor's Right too greatly concern'd to be passed over in the Instance complaind of, & am well assured the s<sup>d</sup> Jacob Henderson has not made any Application whatever to L<sup>d</sup> Baltimore to Repeal any Law whatsoever passed in that Province.

For these reasons & as L<sup>d</sup> Balt<sup>re</sup> is daily expected in England I most earnestly intreat y<sup>r</sup> Lordships th<sup>t</sup> the s<sup>d</sup> M<sup>r</sup> Henderson's Petition may not be taken into your Lordships Consideration untill the L<sup>d</sup> Balt<sup>re</sup> returns, nor till he shall have some Notice, or served with a Copy thereof, & a reasonable time allowed him to put in such answer thereto as his Ldsp. shall judge & be advised to be proper. As this humble request is agreeable to natural justice, & to the constant course of y<sup>r</sup> Lordships Board, & of all the Judicial Courts of this Kingdom, & as it is a fix'd & an unalterable part of our Constitution th<sup>t</sup> no One shall be Affected in the enjoym<sup>t</sup> of any Right or Privilege without due notice first given & an opportunity of making his defence, & as it so nearly affects so valuable a privilege, so humbly hope y<sup>r</sup> L<sup>dps</sup> will be of opinion this is both a reasonable & a just request, th<sup>t</sup> it will as such be allowed by your Ld<sup>sp</sup>s

N. B Their Ldps. on consideration of the s<sup>d</sup> memorial dismiss'd the Complaint to a Farther Hearing

I am my Lords y<sup>r</sup>  
Lordships & Ca<sup>e</sup>  
Cecil<sup>s</sup> Calvert

By a Committee of the Lords of the Privy Council Dec<sup>ber</sup>  
the 18<sup>th</sup> 1729

p. 3

His Majesty having been pleas'd by his Order in Council of the 14<sup>th</sup> of Oct<sup>ber</sup> last, to Refer unto the considerat<sup>n</sup> of this Comm<sup>ee</sup> the Pet<sup>n</sup> of Jacob Henderson Clerk on behalf of himself & of the Clergy of Maryland complaining of an Act passed in that Province the 3<sup>d</sup> of Oct<sup>ber</sup> 1728 whereby one fourth part of what had been granted & established for their Support & maintenance by an Act passed there in

Calvert 1702 & which was confirm'd by her late Majesty Q: Ann in Council,  
 Paper is entirely cut off, & the remaining 3 parts of their Subsistance is rendered  
 No. 295½ precarious, and therefore praying th<sup>t</sup> his Maj<sup>ty</sup> will be pleased  
 to Order th<sup>t</sup> the s<sup>d</sup> Complaint may be examin'd into, whereby not only  
 his Majestys Royal Prerogative, but also the just rights of the whole  
 Body of the Clergy, may be ascertain'd & maintain'd; their Lordships  
 on the 3<sup>d</sup> of this inst<sup>t</sup> took the s<sup>d</sup> pet<sup>n</sup> into consideration, together w<sup>th</sup>  
 a representat<sup>n</sup> of the Hon<sup>ble</sup> Cecil<sup>s</sup> Calvert Esq<sup>r</sup> for & on the behalf  
 of Char<sup>s</sup> L<sup>d</sup> Baltimore his Brother, Setting forth, amongst other  
 matters, th<sup>t</sup> as the said Pet<sup>n</sup> greatly affected his Bro<sup>r</sup>'s Rights & Priv-  
 ileges, as absolute Lord & Proprietor of the s<sup>d</sup> province & particu-  
 larly as to his Right of approving or Repealing the Laws passed in  
 that Province; and th<sup>t</sup> as his Bro<sup>r</sup> was now absent f<sup>m</sup> this Kingdom,  
 & an intire Stranger to such application, & had left no Instructions  
 or Authority with any person to Defend his Right, he therefore  
 prayed th<sup>t</sup> the s<sup>d</sup> petition might not be taken into consideration until  
 his s<sup>d</sup> Brother's Return who was daily expected in England: Where-  
 upon their Ldps were pleas'd to put off the considerat<sup>n</sup> of the s<sup>d</sup>  
 pet<sup>n</sup> to this day; when my Lord Baltimore's Solicitor attended their  
 Ldps, & acquainted them that he was just arrived in England, &  
 prayed, th<sup>t</sup> in regard his Lordship as Proprietor, had constantly  
 p. 4 enjoyed & exercised the power of Approving & Repealing the Laws  
 of the said Province, his Ldsp might hear & determine this Complaint  
 which his Ldsp had engaged to do with all Expedition upon the  
 Petitioner's Application to him & to grant them proper Releif. The  
 Lords of the Committee upon consideration thereof, & hearing what  
 the petitioner had to object thereto, were pleased to suspend for  
 the present all farther proceeding upon the s<sup>d</sup> Complaint

Ja: Vernon

To the Rt. Hon<sup>ble</sup> Char<sup>s</sup> & c<sup>a</sup> Baron of Baltimore Absolute L<sup>d</sup> &  
 Proprietor of Maryland & Avalon

The Petition of Jacob Henderson Clerk in behalf of Himself &  
 the rest of the Protestant Clergy of the Province of Maryland  
 Sheweth

That the Clergy of Maryland are exceedingly aggrieved by an  
 Act passed at the Assembly begun & held there the 3<sup>d</sup> of Oct<sup>ber</sup> 1728  
 w<sup>ch</sup> bears for its Title an Act for Improving the Staple of Tobacco,  
 & has, as y<sup>r</sup> petitioner is inform'd, been Transmitted to y<sup>r</sup> Lord-  
 ships hand, under Seal.

Which Act (as y<sup>r</sup> petitioner apprehends) is not only unreasonable  
 in it self, but also deprives the Clergy of the Maintenance lawfully &  
 solemnly provided for their support & subjects them to several mean



& improper Offices & to grievous penaltys, & is of dangerous consequence to the Protestant Religion there established.

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Y<sup>r</sup> pet<sup>r</sup> humbly prays y<sup>r</sup> Ldsp's serious considera<sup>n</sup> thereof, & th<sup>t</sup> the s<sup>d</sup> Act may be totally repeal'd & declar'd Null & void *ab Initio*, & also th<sup>t</sup> such Instructions may be given to y<sup>r</sup> Ldsp's Gov<sup>or</sup> & Council there, th<sup>t</sup> no Act of any such nature may be attempted to be passed there for the future. And y<sup>r</sup> pet<sup>r</sup> shall ever pray &<sup>ca</sup>

Jacob Henderson

To the R<sup>t</sup> Hon<sup>ble</sup> Char<sup>s</sup> L<sup>d</sup> Baron of Baltimore Absolute Lord &<sup>ca</sup> p. 5

The Memorial of the underwritten Traders to Maryland in Behalf of themselves & others trading thither beg leave to present to your Lordship

That Tobacco the Staple of Maryland has of late years sold so low th<sup>t</sup> the planters can't long subsist upon the produce of their labours.

That this is owing to the Planters endeavouring to make as much as possible without regarding the nature whereby the Markets in Europe being over loaded with Tobacco of an Inferiour nature, it will not pay the necessary charges of bringing to Great Britain.

That to Improve the Staple of Tobacco & render it more fitting for the European Markets, the Legislature of Maryland have passed an Act for improving the Staple of Tobacco w<sup>ch</sup> limits the number of plants to be tended by any person in one year not to exceed 7000 Plants.

That by this or the like limitation the Staple might be mended & the Tobaco more acceptable to the Markets in Europe & the Planters be Enabled to raise Sufficient to Cloath themselves & Servants w<sup>th</sup> the Manufactures of Great Britain w<sup>ch</sup> they can't long continue to do at the price Tobaco has sold for some time.

That a Law limiting a certain number of Plants is of the same nature of one w<sup>ch</sup> has been in Force many years in the Province of Virginia.

We therefore Pray y<sup>r</sup> Ldsp will be pleas'd to continue this Law Sign'd per Mess<sup>rs</sup> Sam Hyde, W<sup>m</sup> Hunt, Rob<sup>t</sup> Cruckshanks Phill: Smith & W<sup>m</sup> Black Jan<sup>ry</sup> 17<sup>th</sup> 1729

NB. upon the afores<sup>d</sup> petition's being presented & Read, his Ldsp was pleas'd to hear the s<sup>d</sup> complaint, w<sup>ch</sup> being fully argued on both sides by Counsel Learned in the Law after w<sup>ch</sup> his Ldps dismiss'd the partys, & upon due considerat<sup>n</sup> it appear'd so unjust & unreasonable the taking from the Clergy a 4<sup>th</sup> part of their Incomes without any just grounds or Equivalent as also no ways beneficial to the province his Ldsp Dissented to the s<sup>d</sup> Tobaco Law Jan<sup>ry</sup> the 30<sup>th</sup> 1729

Calvert To the Rt. Hon<sup>ble</sup> Char<sup>s</sup> L<sup>d</sup> Baron of Baltimore Absolute Lord  
 Paper &c<sup>a</sup>  
 No. 295<sup>1</sup>/<sub>2</sub>  
 p. 6

The Memorial of Jacob Henderson Clerk in behalf of the Clergy of the two several Parishes in St Marys & Charles Countys within the s<sup>d</sup> province, that is to say, W<sup>m</sup> Maconchie of Port Tobaco Parish, Clark, & Jo<sup>n</sup> Donaldson of King's & Queen's Parishes in St Mary's County.

Sheweth

That the Ministers in those Countys are generally Aggrieved by an Act of Assembly pass'd in that province at the session began & held in July 1729 & now Transmitted to y<sup>r</sup> Lordship under Seal intituled an Act concern<sup>g</sup> the Parishes in St. Mary's & Charles County.

That the s<sup>d</sup> Act in the life of the sev<sup>l</sup> Incumbents without any Allowance to them, or their consents thereto, Divides & cuts off great part of their Parishes & Incomes, & annexes the same to their Parishes on Pretence to make up a Suitable Allowance for the Ministers of such other Parishes which y<sup>r</sup> pet<sup>r</sup> humbly apprehends is not only injurious to the sev<sup>al</sup> Clergymen who are by that means deprived of their Freehold but extending the Legislative Authority in Maryland to greater lengths than is attempted in Parliam<sup>t</sup> in Great Britain who in such cases never take away the Right of the present Incumbent during his life with<sup>t</sup> his consent

Whereupon y<sup>r</sup> pet<sup>r</sup> humbly prays y<sup>r</sup> Ldsp that the s<sup>d</sup> Act may be Dissented to & totally Repealed.

And y<sup>r</sup> pet<sup>r</sup> shall ever pray &ca.

Jan 17<sup>th</sup> 1729

Jacob Henderson

NB. upon the s<sup>d</sup> petition's being presented & Read, his Ldsp gave a Hearing thereto, & it being proved contrary to the Legislative Authority, & reason, to divide any Living during the Life of the Incumbent without his consent his Ldsp Dissented to the Above-mentioned Act Jan<sup>ry</sup> the 30<sup>th</sup> 1729

- p. 7 To the Rt Hon<sup>ble</sup> Char<sup>s</sup> Lord Baltimore Absolute Lord &c<sup>a</sup> The  
 Petition of Jacob Henderson Clerk in behalf of himself & the rest  
 of the Clergy of Maryland.

Sheweth.

That the Clergy are greatly aggrieved in Maryland by an Act of Assembly pass'd in that Province at the Session begun & held in Oct<sup>ber</sup> 1728 & transmitted to y<sup>r</sup> Lordship under Seal, Intituled an Act Supplementary to the Act Intituled an Act for the establishing of Religious Worship in this Province according to the Church of England, & for the maintenance of ministers.

That this Supplementary Act alters & in Effect repeals sev<sup>al</sup> parts of the former Act & Subjects the Clergy to Penaltys & to the Power & final Determination of a single Justice of the Peace relating to

those Penaltys & tends to deprive them of the Common Right of all other Clergymen of being of the Vestry of their Parishes unless y<sup>r</sup> pet<sup>ers</sup> give constant attendance at the Vestry as is by no means necessary & as wou'd be very often prejudicial & Inconvenient to them. Calvert  
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Wherefore y<sup>r</sup> pet<sup>er</sup> humbly prays y<sup>r</sup> Ldsp's consideration of the s<sup>d</sup> Supplementary Act & th<sup>t</sup> the same be Dissented to & totally repealed.

And y<sup>r</sup> pet<sup>er</sup> shall ever pray &c<sup>a</sup>

Jan<sup>ry</sup> the 22<sup>d</sup> 1729

Jacob Henderson

The s<sup>d</sup> petition being presented & read his Ldsp was pleased to hear the s<sup>d</sup> complaint & finding it unjust & a hardship on the Clergy Dissented to the s<sup>d</sup> Act Jan<sup>ry</sup> 30<sup>th</sup> 1729.

#### His Ldsp's Answer to the Clergy's Address

Baltimore

I am favour'd with your kind Address, and well Pleased with the p. 15  
Confidence you Express of my Care & Protection of the Church,  
from which I assure you, nothing shall alienate me; and I make no  
doubt of your good Offices towards Promoting a perfect understand-  
ing between the Proprietor & his Tenants; Peace & Harmony being  
the great Characteristicks of our Mother Church.

To the R<sup>t</sup> Hon<sup>ble</sup> Charles Lord Baltimore, Lord Proprietary of p. 18  
the Province of Maryland.

The Petition of Jacob Henderson Clerk, in behalf of himself & the  
rest of the Clergy of Maryland.

Sheweth

That several Acts of Assembly were heretofore made & past in  
that Province for Establishing the Religious Worship, & Settling a  
suitable Maintenance for the Support of the Clergy of the Church of  
England, there, which rec<sup>d</sup> his late Maj<sup>ty</sup> K: William's Royal Dissent  
& Disallowance as improper.

Whereupon his s<sup>d</sup> late Maj<sup>ty</sup> thought fit to Direct his Lords  
Comm<sup>rs</sup> for Trade & Plantations to prepare here a proper Draught  
of an Act for these purposes, to be sent over & passed there.

And after the same had been laid before his said Maj<sup>ty</sup> in Council,  
& some persons who oppos'd it, heard before his Maj<sup>ty</sup> in Co<sup>l</sup>, that  
Draught by Order in Co<sup>l</sup> of the 5<sup>th</sup> of June 1701 was transmitted to  
Maryland, & was there Passed by the Gov<sup>r</sup> & Assembly about the  
25<sup>th</sup> of March 1702.

And the same being return'd hither was here approv'd confirm'd,  
finally Enacted & ratified by Order of her late Maj<sup>ty</sup> in Co<sup>l</sup> of the 18<sup>th</sup>  
of Jan<sup>ry</sup> 1702

Calvert And the s<sup>d</sup> Act was printed & dispers'd here as an Encouragem<sup>t</sup>  
 Paper for Protestant Clergyman to go over & Settle there, & accordingly  
 No. 295<sup>2</sup> sev<sup>l</sup> such have from time to time gon over & settled there.

That the Sole maintenance thereby Provided for the Clergy was  
 40 pounds of Tobaco (one of the chief Comoditys of the Country)  
 per annum, to be always paid, without charge, by each Taxable per-  
 p. 19 son there, from whom it was to be Levied & Collected by the Sheriff  
 & paid to the Minister; amounting to about 2<sup>s</sup> 8<sup>d</sup>  $\frac{1}{4}$  p<sup>r</sup> ann: for each  
 Taxable person.

And which Allowance (upon the best computation that can be  
 made) do's not amount to near a 20<sup>th</sup> part of the Tobaco w<sup>ch</sup> grows  
 there, & the Clergy have no Tithes or Allowance out of any other  
 Comodity; nor had they any House or Glebe appointed for them by  
 that Act, but were yearly to pay 1000 pounds of Tobaco to the  
 Clerk of each parish out of their said Allowance.

That the Clergy continued to receive their s<sup>d</sup> Allowance in Manner  
 as appointed by the Act, until ab<sup>t</sup> Ap<sup>l</sup> 1715, when the Assembly of  
 Maryland past an Act that the Sheriff might Deduct 5 p<sup>r</sup> ct. for Col-  
 lecting & paying the s<sup>d</sup> Allowance of the 40 p<sup>r</sup> poll.

The last mention'd Act therefore, was a Hardship upon the Clergy,  
 w<sup>ch</sup> however their low circumstances & small Incomes Obliged them  
 to lay still under, as they were unable to seek releif here, at so remote  
 a Distance, & great Expence as the Affair might require

That this first Step being gain'd upon the Clergy, the next intended  
 Step went a great deal farther, for at the Assembly held in Oct<sup>br</sup> 1728,  
 the Assembly thought proper to pass an Act for Improving their  
 Staple of Tobaco, by the Methods therein proposed.

But in that Act of so general a nature & Concernm<sup>t</sup> there were  
 inserted Clauses (upon Supposition, before Tryal, that the methods  
 they proposed wou<sup>d</sup> produce the effects intended, & w<sup>d</sup> certainly  
 improve the Staple) whereby the Taxable persons, if they paid the  
 Clergy in Tobaco, were to pay the  $\frac{3}{4}$  for the whole, & had their  
 p. 20 option whether to pay in that manner, in Tobaco, or to pay for the  
 whole in mony at the price therein mention'd, being lower than the  
 then current price.

So that, if the Act had it's effect, the Clergy were to have no com-  
 mon benefit by it, but were in all events, to lose at least 25 p<sup>r</sup> C<sup>t</sup> more  
 of their Allowance

But upon y<sup>r</sup> Pet<sup>ers</sup> humble Application to your Lordship then (as  
 now) in behalf of himself & his Brethren, Your Ldsp in y<sup>r</sup> great  
 Justice & regard to the Clergy, was pleas'd not only to Dissent  
 to & Repeal that Act, but also to give Directions that the Gov<sup>r</sup> in  
 Maryland shou'd not consent to any Act, to Alter, Lessen or Dimin-  
 ish the provision made for the Clergy, by the Act so solemnly pre-  
 pared, past & confirm'd as afs<sup>d</sup> as well as to give the Clergy your



Ldsp's gracious assurances of your protection, & that you wou'd Suffer no Innovation on their Rights; for w<sup>ch</sup> the Clergy in Maryland will be always bound to return the utmost Duty & gratitude to your Lordship.

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Notwithstanding all which as soon as the Repeal & Directions arrived at Maryland, & directly contrary thereto, the Assembly there thought proper, in May 1730 immediately to reenact, in Substance, the before mention'd to have been repeal'd Act for Improving the Staple of Tobacco, & the said Act (as your Petitioner apprehends) has been lately transmitted to y<sup>r</sup> Lordship & intituled an Act for improving the Staple of Tobacco &c<sup>a</sup>

That had this last mentioned Act confin'd itself to its Title, your Petitioners shou'd not have given your Lordship this trouble thereon, as conceiving that the Amendm<sup>t</sup> of their Staple is what may be very proper for the considerat<sup>n</sup> of the Assembly there, & with which the Clergy have no business to intermeddle.

But what aggrieves y<sup>r</sup> pet<sup>ers</sup> & the rest of the Clergy is, that as the former repealed Act took away in all events, a  $\frac{1}{4}$  of the Clergy's revenue, This, in effect, do's little less. For it provides, that the Clergy shall have but  $\frac{3}{4}$  of their Allowance paid them in Tobacco, and as to the other  $\frac{1}{4}$ , the Clergy are to take an Allowance for it at the several stated prices therein mention'd, either in wheat, or in Barley, or in Indian Corn or in Oates, at the Option of the persons paying the same. p. 21

That in order to Obtain & Enforce this Clause upon the Clergy, & as conscious that the same is not warrantable, & cou'd not be supported of it self, the Assembly have crowded it into this Act, w<sup>ch</sup> contains gen<sup>l</sup> and perhaps necessary Regulations for the Improvem<sup>t</sup> of their Staple of Tobacco, & w<sup>ch</sup> contains moreover other gen<sup>l</sup> matters of a Public Nature not at all relating to the Clergy, & w<sup>ch</sup> y<sup>r</sup> Pet<sup>er</sup> conceives was calculated for no other End, but that the supposed weight & consequence of the other matters contain'd in the Act, might out weigh your pet<sup>ers</sup> reasonable complaints, & procure a confirmat<sup>n</sup> in gen<sup>l</sup> of the whole Act.

Upon this occasion therefore the Clergy of Maryland are put under the necessity of once more applying to y<sup>r</sup> Ldsp's Justice, & most humbly crave leave to Represent the following matters for y<sup>r</sup> Ldsp's consideration.

1<sup>st</sup> That the Crown was a party, in a very great degree, to the Act w<sup>ch</sup> Establish'd the Religious worship of the Church of England, & the maintenance for its ministers in Maryland, not only as his late Maj<sup>ty</sup> prepared & Transmitted the Draught of the Act thither, but also as it was finally & Solemnly confirm'd, enacted & Ratified by Order in Council after it had been past there; after w<sup>ch</sup> it cannot be in the power of the Assembly of Maryland to alter or Repeal a

Calvert Royal order in Council, or that Act either in the whole or in part,  
 Paper directly or indirectly; But as the 40 p<sup>r</sup> poll was by that Act directed  
 No. 295<sup>½</sup> to be always paid to the Clergy by each Taxable person so it ought  
 p. 22 to remain & continue.

2<sup>dly</sup> That if the Clergy were to admit the Assembly had power to alter the Act so solemnly confirm'd, the Assembly may if they see occasion, alter or even take away the whole, or what part they please, of the Remainder of the Clergy's Allowance; & altho y<sup>r</sup> Pet<sup>ers</sup> are well assured they shou'd never want just releif from y<sup>r</sup> Ldsp's repeal of such Act, yet the forcing your pet<sup>ers</sup> to those repeated & expensive applications for that purpose, from year to year, will produce much the same consequence as being depriv'd of their whole maintenance.

3<sup>dly</sup> That if this matter were within the power of the Assembly, yet what the Assembly have done by this last Act is conceiv'd to be very unreasonable in depriving a Body of People of their Property, with<sup>t</sup> their consent, w<sup>ch</sup> y<sup>r</sup> Pet<sup>ers</sup> conceive is beyond what is ever done by the highest Legislature in the Brittish Constitution.

4<sup>thly</sup> The Choice given to the people to pay in which of the 4 Grains they please, at the price therein appointed with<sup>t</sup> regard to any Alteration of price is another hardship upon the Clergy, who may be paid the  $\frac{1}{4}$  of their maintenance in such of the s<sup>d</sup> grains as shall be, for the time being, the cheapest & most under the price appointed by the Act.

5<sup>thly</sup> But if the paym<sup>t</sup> were really an Equivalent, & so wou'd continue during the time of the Act, yet even then the hardship wou'd  
 p. 23 be very great upon the Clergy, who can never be prepared or know, till the very time of Payment comes, what they shall be paid in, & who must afterwards of necessity employ a great part of their time in bartering away their Grain for Rum, & keep a Storehouse at every Parsonage to retail it again; w<sup>ch</sup> is the only way they can Propose to raise their Quarter of their subsistance.

6<sup>thly</sup> If what is proposed as an Equivalent were really so, Your Pet<sup>ers</sup> humbly conceive the Assembly wou'd not have taken such measures as they have, Reenacting what y<sup>r</sup> Ldsp had just Repeal'd, & by Tacking it to a public Bill w<sup>ch</sup> not only concerns the Country, but seems to take some care of y<sup>r</sup> Ldsp's Revenue, nor, in such case, can any Sufficient reason be shewn why the People might not retail their grain or dispose of it themselves as well as the Clergy; But if it really be not an Equivalent, as the Proceedings of the Assembly herein seem plainly to Demonstrate, y<sup>r</sup> Pet<sup>ers</sup> Submit whether it shou'd be thus repeatedly attempted to be forced upon the Clergy, against their consent, in prejudice of their property, & in Violation of the aforementioned Act, Order of Council, & y<sup>r</sup> Ldsp's pleasure signify'd as aforesaid.

7<sup>thly</sup> The Upper & Lower Houses of Assembly having Address'd y<sup>r</sup> Ldsp for y<sup>r</sup> confirmation of the Act (as Appears by their printed proceedings) y<sup>r</sup> pet<sup>ers</sup> beg leave to return some answer to the reasons they offer therefore

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As to the Wellfare of the Province depending upon the Act, y<sup>r</sup> Pet<sup>ers</sup> hope it will have no sort of weight w<sup>th</sup> y<sup>r</sup> Ldsp to confirm this Act of so many various kinds, since the Assembly may, instantly reenact so much as does concern the wellfare of the Country, without including y<sup>r</sup> pet<sup>ers</sup>; and had they thought fitt to have don so now, y<sup>r</sup> pet<sup>ers</sup> sho'd not have given y<sup>r</sup> Ldsp the trouble of any petition ag<sup>st</sup> the same. But as the Assembly did not think fitt to alter & lessen the Clergy's maintenance by a separate Act (w<sup>ch</sup> might have stood singly by it's self upon its own reasonableness or unreasonableness, for y<sup>r</sup> Lordship's consideration) but on the contrary, altho y<sup>r</sup> Ldsp had but just Repeal'd the former Act, for that reason amongst others, have again included the Clergy in an Act, if possible, a more general Act than the former, y<sup>r</sup> pet<sup>ers</sup> humbly Submit to y<sup>r</sup> Ldsp to whom any Repeal of this Act ought to be Imputed; since if there were not some very strong intention to lessen the Clergy's maintenance, no fair reason can be given why these clauses were again Inserted in an Act of this Public Nature, & such an Act put in the Hazard thereby? And it is not the Object of Gen<sup>l</sup> Dissatisfaction, by Necessitating them to Apply for Releif in the only method they can by a repeal of this Gen<sup>l</sup> Law; but after that end obtain'd, for the Assembly to turn the weight of this gen<sup>l</sup> Law ag<sup>st</sup> y<sup>r</sup> pet<sup>ers</sup> is without any colour of reason as y<sup>r</sup> Pet<sup>ers</sup> humbly hope. And there was the less pretence to include the Clergy, they, as before Observ'd if they had their 40 p<sup>r</sup> poll in Tobacco, not having the 20<sup>th</sup> part of the Tobacco made. p. 24

The next reason offer'd by the Houses to y<sup>r</sup> Ldsp for Supporting this Act, is, that the Grain to be Allow'd the Clergy will be worth as much as the Tobacco taken away wou'd be, if no such Law had past. And th<sup>t</sup> the restraint by the Act laid upon the planters will render the ¾ of the Tobacco still to be paid to the Clergy of more value than the whole wou'd have been, without such a restraint but y<sup>r</sup> Pet<sup>ers</sup> submit to y<sup>r</sup> Lordship, whether both these reasons or indeed either of them, have any certain Foundation; For as it's manifestly hoped at least, that less Tobacco shall be made now than heretofore. If the Planters therefore shou'd for want of other Employment sow any of the Enumerated sorts of Grain, they may become so plenty, as not to be worth the price they are now sett at, & yet the Clergy are to take them at the full price in the Act, when the Grain wou'd not, in such case be near the value of Tobacco. On the other hand also, its by no means fixt or certain that the making a less quantity of Tobacco in Maryland than heretofore (if this Act does produce that Effect, w<sup>ch</sup> is not Admitted) will, in all Events raise the price of Tobacco in Foreign

Calvert Markets, so as to make  $\frac{3}{4}$ , of the Value of the whole; as the Markets  
 Paper do not depend upon Maryland alone for Supply.  
 No. 295 $\frac{1}{2}$

The last reason given by the Houses for your Lordship's Approbation of the Act, Your Pet<sup>ers</sup> humbly hope is, of its self, sufficient for the repeal of it; It is, that the Clergy are to have the same prices,  
 p. 25 for their Grain, as Tobacco Creditors are obliged to receive when they Execute upon their Debtors for Tobacco which they cannot pay; the Houses in this reason alluding to the Act pass'd 1722 w<sup>ch</sup> is for the releif of poor Insolvent Debtors, who cannot pay their Tobacco Debts in Specie, th<sup>t</sup> they may not lay in prison if they have any of the comodities mention'd to pay y<sup>r</sup> Debts in; But, for the Assembly, without any reason, to put the Clergy [on] that foot, with relation to every one of their Parishioners, Solvent or Insolvent, & to make them take their payments in all events, as other persons are forced to do in case of desperate Debts, is so great a Hardship upon the Clergy that they humbly hope, that alone, wou'd induce y<sup>r</sup> Lordship, to Dissent to the Present Act.

Y<sup>r</sup> pet<sup>er</sup> therefore for himself & for his Brethren, most humbly prays y<sup>r</sup> Lord<sup>ps</sup> Consideration of the p<sup>m</sup>ises, & th<sup>t</sup> his Agent & Counsel may be heard upon the s<sup>d</sup> Act before y<sup>r</sup> Ldsp. And that thereupon the s<sup>d</sup> Act may be totally dissented to & repeal'd, & the Clergy of y<sup>r</sup> Ldp's Province fully releiv'd in the p<sup>ses</sup>, & th<sup>t</sup> y<sup>r</sup> Ldsp wou'd in y<sup>r</sup> great wisdom free them from any future occasion for these repeated troublesome & expensive applications.

And they as in Duty bound shall  
 ever pray &<sup>ca</sup> &<sup>ca</sup>

Ferd: John Paris  
 Agent for the Pet<sup>er</sup> 18<sup>th</sup> Nov<sup>ber</sup> 1730

NB All Parties were heard by their Counsel accordingly on the  
 — 1730 before the Lord Proprietor.

December the 17<sup>th</sup> 1730, all parties attended before the L<sup>d</sup> Proprietor, who Declared his Assent to the Act, entituled an Act for Improving the Staple of Tobacco, & for continuing part of an Act ascertaining the Gauge & Tare of Tobacco hogsheads; & to prevent Cropping, Cutting & Defacing Tobacco taken on board Ships & vessels upon freight; & for laying Impositions on Tobacco p<sup>r</sup> the hogshead, for the support of governm<sup>t</sup>, & for the encouraging Settlements in this province, by ascertaining the manner of paying his Ldsp's Alienation Fines & Quit-Rents, for the Term therein proposed; & for the taking off the 3<sup>d</sup> p<sup>r</sup> hh<sup>d</sup> formerly rais'd for the Public Charge.

p. 40

His Lordship to the Clergy

Reverend Gentlemen

I have rec<sup>d</sup> your's complaining of Injustice done you by the Alteration, in your 40 p<sup>r</sup> Pole, made the last Sessions; Your Sollicitor



Ferdinand John Paris has been heard by his Counsell, as have the Merchants on Behalf of themselves, & the people of Maryland.

Calvert  
Paper  
No. 2954  
p. 41

Upon hearing both partys, I have thought fitt to confirm the said Law. You may Depend upon all the Protection & countenance, which you can ask, or I can grant, and when ever there is any thing before the Assembly that concerns your Body, or the Advancem<sup>t</sup> of the great work you are design'd for, I am sure the Legislature of Maryland will pay that Deference to your Functions, & persons, as all wise Assemblys Do, considering that the true Advancem<sup>t</sup> of Religion, & the Protecting the Ministers thereof to be their first care.

I am much concerned to hear of the ill usage you complain of has been given to some of your Fraternity, & be Assured th<sup>t</sup> any person or persons who shall so misbehave, shall meet with the greatest discountenance from

I am

London

Your's

Jan<sup>ry</sup> 29<sup>th</sup> 1730/31.

Baltimore

Answer to the three Querys proposed to us by his Excellency the Governour.

Black Book  
No. 10  
Letter  
No. 15

1<sup>st</sup> How many are the Parishes within your County, their respective extents, in their greatest lengths and breadths, as near as may be computed at least, with the present incumbents names.

2<sup>dly</sup> How many are the taxables in each separate Parish.

3<sup>dly</sup>. What Glebes houses slaves or stock may appertain to each respective Parochial Cure, and as near as may be their Estimate . . . . in quantity of acres &c<sup>a</sup>

. . . . the 1<sup>st</sup> Query we answer that there is . . . . part . . . . St. Michaels parish a small part whereof is in Queen Anne's County and part of S<sup>t</sup> Pauls parish the greatest part whereof is in Queen Annes County, and S<sup>t</sup> Peters parish which is all within this County. . . . part of Saint Michaels parish within this County, it is much broken with water, And is about thirty miles in length and taking one place with another about ten miles in breadth, whereof the Rev<sup>d</sup> Henry Nicols is incumbent.

As to that part of S<sup>t</sup> Paul's parish which lyes in this County it is about ten miles in length and six miles in breadth, whereof the Rev<sup>d</sup> [James] Cox is incumbent

St. Peters parish is about twenty and five miles in length and taking one place with another about eight miles in breadth whereof the Rev<sup>d</sup> Daniel Maynadier is incumbent.

To the 2<sup>d</sup> Query we answer that according to the lists of taxable Persons returned by the Constables of this County it appears to us, that there are,

Black Book      In that part of S<sup>t</sup> Michaels parish within this County nine hundred  
 No. 10      sixty and nine taxable persons.  
 Letter No. 15

In that part of S<sup>t</sup> Pauls parish within this County two hundred  
 forty and three taxable persons.

And in S<sup>t</sup> Peters parish nine hundred fifty and four taxable  
 persons.

To the third Query we answer

In the part of S<sup>t</sup> Michaels parish within this County there are  
 two Glebes.

In the part of S<sup>t</sup> Pauls parish within this County there is not any  
 Glebe

And in S<sup>t</sup> Peters Parish there are two Glebes.

But as to the number of acres in or the yearly ratings of them  
 we are not informed, And as to any Slaves stock or other things  
 appertaining to any of the said Parochial Cures we do not know  
 any.

Rob <sup>t</sup> Goldsborough	Dan. Sherwood	Risd <sup>n</sup> Bozman
N. Goldsborough	T. H. Bozman	

Talbot County Court house.

March 1729

Letter      Sir  
 No. 16

We have received Your Excellencys Commands of the Twenty  
 Sixth of February . . . . Duty to Inform Your Excellency . . . .  
 Parishes Viz. Stepany, Somerset . . . . Parish is about Sixty Miles  
 in Length . . . . nine hundred and Twenty five Taxable . . . . is  
 Rector thereof and the Glebe is not . . . .

Somerset Parrish is about Twenty five Miles in Length and Tenn  
 in Breadth Contains five hundred and Eighty six Taxables The Rev<sup>d</sup>  
 M<sup>r</sup> James Magill is Rector thereof and There is no Glebe.

Coventry Parrish is about thirty Miles in Length and Tenn in  
 Breadth Contains Seven hundred and Ninety five Taxables The  
 Rev<sup>d</sup> M<sup>r</sup> James Roberson is Rector thereof and the Glebe is Worth  
 about 40£ a year

Allhallows Parrish is about fifty Miles in Length and Tenn in  
 Breadth Contains Eight hundred and Twenty-Six Taxables The  
 Rev<sup>d</sup> M<sup>r</sup> Thomas Fletcher is Rector thereof and the Glebe is three  
 hundred Acres of Land which Yields about . . . .

Humble Servants

W <sup>m</sup> Planner	John Caldwell	Jn <sup>o</sup> Scott
Jn <sup>o</sup> Jones	Jn <sup>o</sup> M <sup>c</sup> Clester	
Jn <sup>o</sup> Smith	James Dashiell	

[Somerset County]

March the 20<sup>th</sup> 1729

May it please your Excellency . . . . 1729

Black Book  
No. 10  
Letter  
No. 17

We the Justices of Queen Annes County having reced your Letter dated the 26<sup>th</sup> of Feb<sup>ry</sup> last, wherein you are pleased to require us to transmit to you an answer to severall Particulars therein contained. In Obedience thereto do hereby humbly offer to your Excellency the following Answers.

1<sup>st</sup> The number of Parishes in Queen Annes County are, three, viz. S<sup>t</sup> Pauls, Christ Church and [St. Luke's] a small part of S<sup>t</sup> Pauls in Talbot . . . .

The length of . . . . five

The reverend M<sup>r</sup> [James] Cox [St. Paul's] Parish

The reverend M<sup>r</sup> Thomas [Phillips] Christ Church

The reverend M<sup>r</sup> Jn<sup>o</sup> Lang Incumbent of S<sup>t</sup> Luke's.

2<sup>ndly</sup> In S<sup>t</sup> Paul's Parish there are eleven hundred and forty seven Tax<sup>a</sup> in Christ Church three hundred and twenty four and in S<sup>t</sup> Lukes eight hundred and twenty two.

3<sup>rdly</sup> In S<sup>t</sup> Pauls and S<sup>t</sup> Lukes there are no Glebes, houses, Slaves or Stock

In Christ Church there is one Glebe containing one hundred and fifty acres of land, and thereon two old dwelling houses (a good framed dwelling house, built . . . . the charge of the Parish since the Induction of the present Incumbent . . . . lately burnt) but neither Stock . . . .

We are with

Your most obedient Servants

W. Turbutt . . . . Th: Hynson Wright

Arthur Emory . . . . Humphery Wells

Solomon Clayton . . . . W. Hemsley

And. Price

May it please Your Excellency

S<sup>r</sup>

Letter  
No. 18

In Obedience to your Commands in Your Excellency's of the 23<sup>d</sup> Instant we answer the Particulars therein as Follows Viz.

There are Four Parishes within this County Namely Saint Barnaby's (the Rever<sup>d</sup> Jacob Henderson present Incumbent) whose length is about Twenty Miles and breadth Fourteen Containing Eleven hundred and forty Eight Taxables But has no Glebe or Stock. Saint Paul's Parish (the Reverend John Eversfield present Incumbent) whose length is about Twenty five Miles and breadth twelve Containing Nine hundred and Sixteen Taxables it has a Glebe of about One hundred acres of Land without houses or Stock. King George's Parish (the Reverend John Fraser present Incumbent)

Black Book No. 10  
Letter No. 18 whose length is about Thirty Eight Miles and breadth Seven Con-  
taining One thousand and Twenty-five Taxables it has a Glebe of  
the . . . . Value of . . . . hundred pounds of Tobacco but no  
Stock of Negroes or Cattle.

Prince Georges Parish (the Reverend [George Murdock] un-  
known being a Frontier . . . . it has a Glebe of about Two . . . .  
Stock of Negroes or Cattle.

We are

S<sup>r</sup> Your Excellen<sup>cys</sup>

Most Obedient, Humble Serv<sup>ts</sup>

Ralph Crabb	Leonard Hollyday	Pet <sup>r</sup> Dent
Thomas Gantt	Jere: Belt	D Craufurd
George Noble	Ed <sup>wd</sup> Sprigg	

March the 26<sup>th</sup> 1730.

Prince George's County.

Cecil County 14<sup>th</sup> April 1730

Letter No. 19 May it please Yo<sup>r</sup> Excell<sup>cy</sup>

In obedience to yours of the 29 ffeb<sup>ry</sup> last, as to the first Q<sup>r</sup> viz.  
How many are the Parishes within your County &<sup>ca</sup> We answer  
that there are two Parishes in our County, to wit S<sup>t</sup> Stephens & St.  
Mary Ann's. And that the Extent of S<sup>t</sup> Stephen's Parish, in its  
Greatest length, is about thirty miles, & in breadth Sixteen, the  
present Incumbent, the Reverend John Urmston. The Extent of  
S<sup>t</sup> Mary Ann's in its greatest length, is about Twenty Miles, & in  
breadth Twenty & The Rever<sup>d</sup> George Ross Incumbent.

As to the 2<sup>d</sup> Q<sup>r</sup> viz. How many are the Taxables &c.

We answer that there are One thousand & Eleven Taxables in S<sup>t</sup>  
Stephen's parish, and five hundred & Sixty nine Taxables in S<sup>t</sup> Mary  
Ann's parish.

And as to the third Q<sup>r</sup> What Glebes Houses &c.

We answer that in S<sup>t</sup> Stephen's parish, there is a Glebe of three  
hundred acres of good Arable Land (with a good plantation, a Small  
Orchard and a good Dwelling house thereon w<sup>ch</sup> Improvem<sup>ts</sup> were  
made by the late & present Incumbents

That S<sup>t</sup> Mary Ann's Parish has no Glebe &c.

We hope that this may . . . . Yo<sup>r</sup> Excellencys hands time  
Enough to answer the designed Ends, not having been Able ere now  
to Transmitt you this our Answer, which hope you will Excuse in

S<sup>r</sup>

Your most humble Servants

Stephen Hollingsworth	J <sup>o</sup> Hamond
Jn <sup>o</sup> Capson	B. Pearce
W <sup>m</sup> Rumsey	Edward Jackson



To the R<sup>t</sup> Hon<sup>ble</sup> Char<sup>s</sup> L<sup>d</sup> Baltimore Absolute Lord &<sup>ca</sup>

Calvert  
Paper  
No. 295<sup>1</sup>  
p. 7

The humble Petition of John Sharpe of Lincoln's Inn for & on  
behalf of Several of the late practitioners of the Law in the s<sup>d</sup>  
Province of Maryland

Sheweth

That an Act was pass'd in the s<sup>d</sup> Province of Maryland in Oct<sup>r</sup>  
1725, Entituled an Act to Restrain the ill practices of Attorneys, &  
to Prevent their taking Money-Fees, & ascertaining what Fees shall  
be Allowed to Practitioners in the Law who shall Attend the Circuit  
Courts, & was explained by a Subsequent Act Passed in March  
1725/6 which Act continued in Force till July last & by another  
Act then Passed is continued 3 years longer

That by these Acts the Profession of the Law is put under so  
many Hardships & Difficultys that many of the practitioners of the  
Law have been necessitated to leave their practice untill they shall  
be releived from the many & unjust Oppressions brought on them  
thereby, & to that end they have directed your Petitioner for them  
& on their behalves humbly to Apply to your Lordship for a Repeal  
of all the said Acts as being unjust in themselves, not agreeable to  
Reason & repugnant to the Laws of England, therefore not war-  
ranted by your Lordship's Charter.

Your petitioner therefore, & on behalf of the s<sup>d</sup> Practitioners of  
the Law in Maryland humbly pray that your Lordship wou'd be  
forthwith pleased to Repeal the said Acts.

And your petitioner shall ever Pray &<sup>ca</sup>

Jan<sup>ry</sup> 22<sup>d</sup> 1729 upon the s<sup>d</sup> petition

John Sharpe

being presented & read, his Ldsp thereupon  
heard the s<sup>d</sup> Complaint & Dissented thereto  
for the Reasons hereunto mentioned viz.

1<sup>st</sup> Because the Oath prescribed by this Act seems not consistent  
with it's self.

2<sup>dly</sup> The provision made by this Act is unreasonable, Because it  
directs one intire Fee to be taken for Prosecuting & Defending any  
suit from the beginning to the End of it, whereas the Reward ought  
to Differ according to the length & labour of a Suit which frequently  
depends upon the Industry & Ability of those who mannage them.

3<sup>dly</sup> Every British Subject has a Right to dispose of his own in  
what manner he pleases, because if there is any Extortion of Fees,  
'tis Subject to the Controul of the Legislature.

S<sup>r</sup> Phil: Yorke's Att<sup>ney</sup> General his Opinion concerning the  
Statutes of England Affecting

Maryland

Qu: Whether such General Statutes of England as have been

Calvert made since the Date of the Charter of Maryland and Wherein no  
 Paper mention is made of the Plantations, are not restrain'd by Words of  
 No. 295½ local limitation, are, or are not, in force, without being Introduced  
 there by a Particular Act of their own

I am of Opinion th<sup>t</sup> such general Statutes as have been made since  
 the Settlement of Maryland, and are not by express words located,  
 either to the Plantations in general or to this Province in particular,  
 are not in force there, unless they have been Introduced, & Declared  
 to be Laws by some Acts of Assembly of the Province, or have been  
 receiv'd there by a long uninterrupted Usage or Practice, which may  
 Import a tacit consent of the Lord Proprietor and the People of the  
 Colony, that they should have the Force of a Law there.

P. Yorke

March 9<sup>th</sup> 1729

The Law Intituled the Oath of a Judge or Justice, Passed by the  
 Assembly in Maryland, whereby it was Enacted to Introduce the  
 whole Statute Laws, which if once allowed of cannot be Repeal'd  
 unless by Parliament; Therefore his Lordship Dissented to the said  
 Act of 1728

p. 26 To the R<sup>t</sup> Hon<sup>ble</sup> C: L<sup>d</sup> Baltimore Absolute Lord &<sup>ca</sup>

The Underwritten Traders to Maryland in Behalf of Themselves  
 & Others trading thither beg leave to represent to your Lordship

That, notwithstanding the Act of Assembly Passed in Maryland  
 to ascertain the Gauge of Tobaco Hogsheads, there has been no care  
 taken to put it in Execution, whereby the Owners of Ships, & y<sup>r</sup>  
 Ldsp's Revenue have suffer'd very much: We therefore Pray y<sup>r</sup>  
 Ldsp wou'd be pleas'd to give such directions, th<sup>t</sup> for the future the  
 s<sup>d</sup> Law may be duly observ'd

And Whereas the Last Sessions of Assembly in Maryland have  
 Pass'd two Acts, the one for Amending the Staple of Tobaco, & the  
 other Relating to Lawyers-Fees, both of w<sup>ch</sup> Acts we conceive to be  
 very Beneficial to y<sup>r</sup> Ldsp's Province of Maryland, We therefore  
 Pray in case there shou'd be any Opposition to the passing them, th<sup>t</sup>  
 y<sup>r</sup> Lds'p wou'd be pleas'd to lett us have notice when we may attend.  
 Signed by

S. Hyde

Rob<sup>t</sup> Cruckshanks

Char<sup>s</sup> Rogers

Jo<sup>n</sup> Hanbury

W<sup>m</sup> Black

Jonat<sup>h</sup> Forward

Jos: Adams

Dan<sup>t</sup> Lamport

Jonat<sup>h</sup> Scarth

Phill: Smith

p. 36 To the R<sup>t</sup> Hon<sup>ble</sup> Charles Lord Baron of Baltimore Absolute Lord &<sup>ca</sup>

The humble Petition of John Sharpe of Lincolns Inn; for & on  
 behalf of the Practitioners of the Law in the said Province of  
 Maryland.

Sheweth.

That an Act was passed in the said Province of Maryland anno 1725 Entituled an Act to Restrain the ill Practice of Attorneys & to prevent their taking mony-Fees, & ascertaining what Fees shall be Allow'd to Practitioners in the Law who shall attend the Circuit Courts which Act continued in Force till July 1729 and by another Act then passed was continued 3 years longer.

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That by this Act the Profession of the Law was put under so many Difficultys & Hardships th<sup>t</sup> many of the Prac<sup>ers</sup> were necessitated to leave off their practice untill they shou<sup>d</sup> be releiv'd from the many unjust oppressions thereby brought upon them. To which End y<sup>r</sup> pet<sup>r</sup> on their Behalf humbly applyed to y<sup>r</sup> Ldsp for a Repeal of both the s<sup>d</sup> Acts, which y<sup>r</sup> Ldsp on taking the same into y<sup>r</sup> most serious consideration was pleas'd to comply with & did Repeal the s<sup>d</sup> Acts accordingly. That the last sessions being the first after y<sup>r</sup> Ldsp had repealed the s<sup>d</sup> Acts, the Legislature of the s<sup>d</sup> Province pass'd another Act, Entituled an Act to Ascertain the Fees of Practitioners of the Law within this Province, & to Prevent Extortions Frauds & Abuses therein; Which Act is the very same in Substance with the s<sup>d</sup> Act passed in 1725 w<sup>ch</sup> y<sup>r</sup> Ldsp had so lately Repealed, & is so very Injurious & oppressive on the Professors of the Law, & is Calculated to put them under so many insupportable Hardships & Difficultys, th<sup>t</sup> unless they are speedily releiv'd therefrom by y<sup>r</sup> Ldsp's Repealing the s<sup>d</sup> Act they must of necessity leave off y<sup>r</sup> practice. p. 37

That y<sup>r</sup> pet<sup>er</sup> has rec<sup>d</sup> Directions from the chief of the Profession in the Law in Maryland for them & on their behalf to make the most immediate Application to y<sup>r</sup> Ldsp for a Repeal of the s<sup>d</sup> Act, as being unjust in it self, not agreeable to Reason, repugnant to the Laws of England & invading the Liberty & Property of the Subject, & lyable to the very same Objections which induced your Lordships to Repeal the said former Act.

Therefore & as y<sup>r</sup> Pet<sup>er</sup> has an Attested Copy of the s<sup>d</sup> Act Transmitted under the Seal of y<sup>r</sup> Ldsp's s<sup>d</sup> Province

Your Pet<sup>er</sup> for & on behalf of the Pract<sup>ers</sup> of the Law in Maryland humbly prays y<sup>r</sup> Ldsp th<sup>t</sup> you wou<sup>d</sup> be forthwith pleas'd to Repeal the s<sup>d</sup> Act, & th<sup>t</sup> y<sup>r</sup> Ldsp wou<sup>d</sup> be pleas'd to Enjoyn y<sup>r</sup> Gov<sup>or</sup> of the s<sup>d</sup> Province not to Pass any Law of the like Nature or Tendency for the future at least, unless there be a Restraining Clause to prevent its taking Effect untill y<sup>r</sup> Ldsp's pleasure be first known thereon

And y<sup>r</sup> Pet<sup>er</sup> shall ever Pray &<sup>ca</sup>

Jn<sup>o</sup> Sharpe.

Jan<sup>ry</sup> the 29<sup>th</sup> 1730/1 his Ldsp. having heard the s<sup>d</sup> Pet<sup>on</sup> & complaint & finding the above mentioned Law lyable to the same objections as that Law pass'd in 1728. He therefore was pleas'd to order his Dissent thereunto Jan<sup>ry</sup> the 29<sup>th</sup> 1730/1

Calvert A Form in french for the Admission of Palatines, Saltzburghers &  
 Paper of other Foreigners into the Province of Maryland, & Allowing  
 No. 295<sup>3</sup> them Settlements there: viz.  
 p. 54

#### Le Viscomte de Baltimore

Seigneur Proprietaire de la Province de Maryland (une des Colonies Britaniques dans l'Amerique Septentrionale) etant très touché du triste etat et sort deplorable de plusieurs Sujets Protestants en Allemagne et ailleurs qui sont oblige's d'abandoner leur Patrie et leurs Domiciles, par les oppressions et persecutions cruelles qu'ils souffrent pour cause de Religion, et voulant contribuer autant qu'il depend de luy, a les Soulages en leur procurant une retraite ou ils puissent jouer avec suretie d'un libre exercice de leur culte, et trouver en même temps leur subsistance. Offre de Recevoir dans la dits Province tous ceux des dits Protestant qui voudront j'y vendra à leurs fruix et depens de leur accorder des Terres pour leurs descendants à perpetuite, libres de Toutes Taxes et Impositions pour le Terme de Sept Ans, a comter du jour que les Terres leur seront assignees, on les exemptant du payement estab<sup>le</sup> dans ce pays la de . . . . par arpent la premiere annee de Culture, et au n'exigeant d'eux lorsque la sept ans serent exp'res quatre shilings par centaine  
 p. 55 D'arpents, [*le meme Impot pour les Terres que les autres habitants payents, soit en argent soit en denrées de ce que les Terres produisent, lequel Impot est si modique qu'il ne monte annuellement qu'à. par arpent . . . .* Et pour que chacun sache à quoy s'entienir, le dit Viscomte de Baltimore donnera à perpetuite à chaque jeune homme [*c fille au dessus de 25 ans*] qui n'est pas marié . . . . 100 . . . . arpents de Terre A celui que est marié quoy qu'an dessus de 25 ans [*ans avoir pourtant des Enfants*] 200 arpents par Famille: *et qu'il a deux Enfants ou plus*] . . . . arpents . . . . Ceux qui voudront se resondier à soy rendre à leurs propres fraix pour j'y établir peurront j'adresser à monsieur Lionelle Allen [ou au chevalier Walter Sanserf] à Rotterdam en Hollande, on ils Trouveront des passeports, Signe's du dit Viscomte de Baltimore afin de pouvoir passer directement à la dite Province de Maryland et y etre regus et etablis par le Gouverneur, sur le pied surdit

[Italics indicate scratched lines] NB. *Where the Lines are scratched*, this was alter'd at Annapolis in Jan<sup>ry</sup> 1732/3 when his Lordship gave such a Form to Capt<sup>n</sup> Colville

#### Proposals

Black Book Humbly offerd to the Consideration of His Excellency and the Hon-  
 No. 10 orable the General Assembly, For founding An Academy at  
 Letter No. 21 Annapolis for the Education of the Youth of this Province

The Proposer previously Suggests (what is Generally Regretted by all, who wish to promote the Honour, Interest and Prosperity of



their Country) the great Want of some Well-regulated Seminary for the Propagation of Polite and usefull Learning in this large and growing Colony; the many Advantages immediately consequent of which Establishment are too extensive to be all enumerated; He therefore begs leave to mention a Few of the principal and less remote, Viz.

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Gentlemen will be under no Necessity of sending their Sons at a great Expence into Europe for Education. As it is scarce possible to provide Domestic Tutors of any Character or Abilities here (it not being worth the while of men of Genius to come over hither for mean and precarious Stipends in Private Families by a long and hazardous Voyage) And as it has been found by Experience, even in England, that such are very hardly to be met with, and seldom answer the Expectation of the Parents; It seems expedient and necessary that a Public Academy or Collegiate School be Fixt and Endowed here; as well for the Benefit of the more Adult, as the Younger Boys; Wherein they may be Instructed not only in the Learning of the best Latin and Greek Schools, (such as Eton and Westminster) but likewise in the principal Branches of the Philosophy which a first Graduate Learns at the Universities; and they may be moreover conversant with some usefull and practical Parts of Knowledge, not generally taught there.

Such of the sons of the Gentlemen of the Province as are Disposed to enter into Holy Orders, may be here duly and Regularly qualified, by the Study of Humanity, Divinity, and the requisite Branches of Philosophy, to Answer for them at the Examination of a Bishop; and it is humbly presum'd from the known Justice, and the Paternal Affection of the Lord Proprietary to this his Country (whose ardent Wish it is to make Arts and Sciences flourish here) that He will, according as they Merit such a Favour present the Native Candidates to the Benefices or Livings here, as they shall become Vacant, or as New Parishes are formed on the Enlargement of the Settlements. p. 2

Others of the Youth, as their different Inclinations lead them, whether to Trade or Husbandry; to the Study of the Law, or Physic, surgery or To render themselves fit for Civil Employments, may here lay the most probable Foundations for erecting their future Fortunes, and variously serving their Country.

Such of them who are arrived to the State of Men, and have had no opportunities of a proper Education, may on easy Terms quickly recover the time they have lost, by being put into an expeditious Method of Studying privately; and they may at proper Seasons be attended by any of the Masters, whose Instructions they Require.

It is humbly recommended, that none of the Youth of this or the neighbouring Provinces, of what Opinion soever they may be in Religion, shall be excluded from the Benefit of receiving their Edu-

Black Book cation here, on Account of their Dissenting from the Establish'd  
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### The Proposals

The Collegiate School or Academy, as to the Heads and Teachers, to be Composd of five Persons, with Suitable annual Sallaries, under the Protection and Inspection of his Excellency as Chancellor of the Academy and a certain number of Visitors; and to be thus Denominated.

1<sup>st</sup> A Senior Lecturer or Regent, who shall be Professer of Divinity, Moral Philosophy &c. and the Classics.

2<sup>nd</sup> A Latin and Greek Master, or Junior Lecturer, qualified to Assist or to supply the Place of the Former, and Vice versa, in Case of Sickness or Mortality.

3<sup>rd</sup> A Submaster or Usher, qualified likewise as the Master.

4<sup>th</sup> A Writing master, who is to have a Competent Knowledge of the Mathematicks

5<sup>th</sup> An English Master who on Occasion can likewise teach reading & Acc<sup>ts</sup>

Under These the Youth are gradually to be Instructed from the first Rudiments to the last stage of usefull Learning; and the Proposer promises (being already Assured of them on a Moderate Encouragement) to procure the above Masters well Qualified for their Several Provinces.

- p. 3 The Annual Salaries, and the quarterly Dues of the several Masters for Tuition or Instruction or for Lodging and Boarding in their Houses the Youth under their Care, to be Ascertain'd; and the Visitors to be impow'r'd, by the Act of Assembly for Founding the Academy to make from time to time such By-laws or Statutes, as may be judged most proper for the Regulation and Economy for the Seminary.

Upon the Death or Removal of the Regent, or any of the Masters, the Loss to be supplied by one of the Survivors, until a proper Successor can be Provided, of known Abilities from England or elsewhere.

N. B. It is hoped in a few Years that Ingenious Men shall be bred up in the Collegiate School, capable of filling the Vacancies without having Recourse to Europe or any extra-provincial Place whatever.

It is humbly thought adviseable, that the Regent and Latin and Greek Master be Clergymen, as best qualified for Instructing the Young Gentlemen designd for Holy Orders: and likewise that if they should become Old and Infirm, they may hope their past Services to the Publick should recommend them to the Favour of the Lord Proprietary and Governor in Succeeding to Vacant Benefices, with permission to keep Curates, if they are incapable of Attending

their Parishes themselves. Which will not only preserve a learned and worthy Body of Clergy in the Province; but be a great Inducement to them of Merit to come over and Cheerfully enter on their respective Charges in the Academy.

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For the greater Satisfaction of the Honourable Perusers of these Proposals the particular Business or Employment of the Regent & the other Masters is here set down.

#### Of the English Master

To teach Children from five Years old and upwards correctly to spell, read, and Pronounce their Mother Language; and to prepare them to be Initiated in Latin &c. and likewise Occasionally to Assist, or Supply the Place of the Writing Master, in his Art; and, if requir'd, even in some parts of Mathematical Learning.

#### Of the writing Master.

To teach accurately to write the Roman, Runing, and Court Hands &c. the most succinct Method by Algebra, as well as Vulgar Arithmetick; Book-keeping &c. Geometry with Surveying and Gaging likewise Geography and Navigation with as much of Astronomy as may serve to give Adequate Notions of the two

#### Of the Latin and Greek Master & Submaster.

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To instruct such, as are Dispos'd to learn of them, in the Initial Rules & Syntax; and in the Classic Authors of the two Learnd Languages, And this, in a Modern more approv'd, expeditious & easy Way than has formerly been practised. The ancient Method of teaching the Grammar as also the School Prosody & Rhetoric, haveing been fatally found to be too dry, laborious, & discouraging to the tender Capacities of Boys.

Of the Regent or Senior Lecturer assisted by the Junior Lecturer or Latin & Greek-Master.

To Oversee the Whole, and to take Care that the Several Masters faithfully Discharge their Respective Duties: To apply to his Excellency as Chancellor of the Academy, and Visitors for Redress of Grievances & Abuses, where he has no Power of Amending or Censuring: or Where the Academic Statutes are silent. Which likewise every One of the Rest has an equal Right to do; particularly, if He should behave immorally, oppressively, or negligently; to Report the Progress the Youth make in their Studies; and candidly to Declare to their Parents or Guardians, on strict Tryal what Branches of Learning they seem most adapted for; that they should only apply to them; and that no Time or Money should be mispent in obliging them to Labour at What is entirely Disagreeable or Repugnant to

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their Disposition: To take into his more Immediate Charge such of the Youth, who are far Advanced in their School Learning: to give them a better Taste of the Elegancies of the Classics: To Lecture to them duly, according to their Divisions, in Ancient & Modern History, illustrated with Geography, Chronology, and Jewish, Grecian, Roman & British Antiquities; To Ground them in the Principles of their Religion: To institute Oratory Lectures: To hear them often Declaim on Various Subjects: To pass them thro' Courses (unincumber'd with the Targon and Trifling Subtilities of the Old Scholiasts) of the New Logic; Natural & Reveald Religion; Moral & Natural Philosophy: To give them as Just notions as possible of the Constitution and Trade of Great Britain, and of the Provinces, particularly Maryland, Dependent on it: To watch the least Tendency to a Corruption in the Morals of every Collegiate Member: to Regulate the Amusements and Diversions of the Youth so as they may not be entirely unedifying: to take Care that they be well treated as to their Diet, Washing, Lodging &c. in the Several Houses, where they shall Board; And To Hold twice a Year public Examinations, where he shall preside, To which his Excellency and the Visitors shall be Invited, and every Gentleman and Clergyman shall be Admitted.

p Where all the Youth in General Distributed according to their Capacities and Proficiency into Classes, shall have proper Examiners assignd them, to whom they are to give an Account of all they have learn'd; at which Time Premiums of Books, and Honorary Rewards are to be presented to Those Who have acquitted themselves well; and suitable Censures & Disgraces pass'd on those, who have not duly Prepared themselves; Which Method of proceeding before such Witnesses, must Create a Generous Emulation among Boys, and have much better Efforts than Barren Praise or Corporal punishment.

The Proposer presumes not to Dictate to the Legislative Powers, now Conven'd, (to Whose Consideration what he has offerd is humbly submitted) by what methods or in what Manner, a Fund may be Rais'd sufficient to support a Collegiate school or Academy upon the foregoing Plan, with reasonable Salaries to the Masters; and only Insinuates, that as the absolute necessity of immediately Establishing such a Seminary is but too Apparent, he believes so urgent & Laudable a work may be Accomplished by ways very agreeable & by no means Burdensome to the Country; And if any Difficulty's or Misapprehensions concerning What He has laid down, and Prays the Sanction of a Law for, should Arise; He is Ready to attend Either of the Honourable Houses, when Call'd upon, with all Integrity and Submission, to the best of his Power, to give them Due Satisfaction, being Prepard, as they shall Judge proper, to Enlarge or Contract the Design, and Accommodate the Whole to the Circumstances of the Province; The Genius of Whose Youth He has



Remarked to be naturally Very Good, and Capable of great Proficiency by a Suitable Cultivation.

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NOTE.—This petition for the improvement of the educational system of the Province may have been written by Richard Lewis, who was still teaching at Annapolis in 1733, whence he sent an account of an Aurora to the Royal Society in 1730 (Proc. No. 418, XXXVII, 69) and of an earthquake in 1732 (Proc. No. 429, XXXVIII, 119). At this time, William Parks was not only publishing the Maryland Gazette, but was also issuing such other pamphlets as "The Virginia and Maryland Almanack" for 1730 and for 1731 by J. Warner, Philomath; "The Maryland Muse, containing I the history of Col. N. Bacon's Rebellion in Virginia done into Hudibrastick Verse from an old Ms. II. The Sotweed Factor or Voyage to Maryland. The 3rd edition corrected and amended" 1731 (an important criticism of the "Sot Weed Factor" is found in Tyler's "American Literature"), and "The Rev. Jacob Henderson's Fifth Letter to Daniel Dulany Esq., in relation to the case and petition of the clergy of Maryland Printed for the author in the year 1732", pp. 2-41. A copy of each of these pamphlets is in the British Museum.



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